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JOURNAL

OF THE

INDIANA STATE SENATE,

DURING THE

FORTY-FIFTH SESSION

OF THE

GENERAL ASSEMBLY,

COMMENCING

THURSDAY, JANUARY 10, 1867.

INDIANAPOLIS:

ALEXANDER H. CONNER, STATE PRINTER.

1867.



JOURNAL

OF THE

SENATE OF INDIANA.

REGULAR SESSION.

The forty-fifth session of the General Assembly of the State of Indiana, begun and held at the Capitol, in the City of Indianapolis, on Thursday, the 10th day of January, A. D., 1867.

The Senate was called to order by the Hon. Conrad Baker, Lieutenant Governor of the State of Indiana and President of the Senate, and the following Senators holding over answered to their names :

From the counties of Gibson, Pike and Dubois—James Barker. ✓

From the counties of Fayette and Union—Thomas W. Bennett. ✓

From the counties of Delaware and Blackford—Wm. A. Bonham. ✓

From the counties of Washington and Harrison—John A. Bowman. ✓

From the counties of Hamilton and Tipton—D. R. Brown. ✓

From the counties of Boone and Hendricks—T. J. Cason. ✓

From the county of Rush—William A. Cullen. ✓

From the counties of Scott and Clarke—Elisha G. English.

From the counties of Sullivan and Vigo—Bayless W. Hanna.

From the county of Ripley—William Hyatt.

From the counties of Hancock and Shelby—James L. Mason.

From the county of Montgomery—Joseph C. Milligan. ✓

From the county of Fountain—J. W. Newlin. ✓

- From the counties of Laporte and Starke—John B. Niles. ✓
- ✓ From the counties of Noble, DeKalb and Steuben—E. B. Noyes. ✓
- From the counties of Morgan and Johnson—Samuel P. Oyler. ✓
- From the county of Henry—Thomas P. Reagan. ✓
- From the counties of Cass, Pulaski and Howard—N. P. Richmond. ✓
- From the counties of Clay and Putnam—Athel Staggs. ✓
- From the counties of Fulton and Miami—S. S. Terry. ✓
- From the county of Marion—W. C. Thompson. ✓
- From the county of Randolph—Thomas Ward.
- From the counties of Jennings and Jackson—James H. Vawter.

The following Senators elect then appeared, presented credentials, and were sworn into office by the Hon. Charles A. Ray, one of the Judges of the Supreme Court of the State of Indiana, and took their seats, viz:

- From the counties of Wells, Adams and Jay—Robert Huey.
- ✓ From the county of Allen—William W. Carson.
- ✓ From the counties of Elkhart and Lagrange—Abner Lewis.
- ✓ From the counties of St. Joseph and Marshall—John Reynolds.
- ✓ From the counties of Posey and Vanderburg—Thomas C. Jacquess.
- ✓ From the counties of Warrick, Spencer and Perry—S. F. Johnson.
- ✓ From the counties of Knox and Daviess—W. S. Turner.
- ✓ From the county of Floyd—George V. Howk.
- ✓ From the counties of Warren, Benton and White—Anson Walcott.
- ✓ From the county of Tippecanoe—J. A. Stein.
- From the counties of Kosciusko and Wabash—Charles S. Parrish. ✓
- ✓ From the counties of Whitley and Huntington—Wilson Smith.
- ✓ From the counties of Lake, Porter and Newton—Firman Church. ✓
- ✓ From the counties of Owen and Greene—John Humphreys.
- ✓ From the counties of Monroe and Brown—William Taggart.
- ✓ From the county of Bartholomew—Thomas G. Lee.
- ✓ From the county of Franklin—Thomas Gifford.
- ✓ From the county of Wayne—Isaac Kinley.
- From the counties of Madison and Grant—John Hunt. *Robinson*
- ✓ From the counties of Parke and Vermillion—Thomas N. Rice.
- ✓ From the county of Jefferson—John R. Cravens.
- ✓ From the counties of Ohio and Switzerland—F. J. Bellamy.
- ✓ From the county of Dearborn—Elijah Huffman.
- ✓ From the counties of Lawrence and Martin—Aaron Houghton.

- From the county of Decatur—Will Cumback. ✓
- ✓ From the counties of Orange and Crawford—William F. Sherrod. ✓
- ✓ From the counties of Carroll and Clinton—F. G. Armstrong. ✓

On motion by Mr. Cravens, leave of absence was obtained for Mr. Vawter.

Mr. Bennett moved to go into an organization of the Senate by electing Principal Secretary, Assistant Secretary, and Doorkeeper of the Senate, in the order named.

Which was agreed to.

Mr. Thompson nominated for Principal Secretary of the Senate, O. M. Wilson, of Marion county.

Mr. Mason nominated John B. Kelso, of Floyd county.

Those voting for Mr. Wilson were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jacquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Stein, Terry, Thompson, Walcott, and Ward—29.

Those voting for Mr. Kelso were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hunt, Lee, Mason, Newlin, Sherrod, Smiths, Staggs, Taggart and Turner—19.

Mr. Wilson, having received a majority of all the votes cast was declared duly elected.

Nominations for Assistant Secretary being in order,

Mr. Ward put in nomination Thomas M. Browne, of Randolph county.

Mr. Hanna put in nomination Mr. Frank Cunningham, of Marion county.

Those voting for Mr. Browne were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jacquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Stein, Terry, Thompson, Walcott, and Ward—29.

Those who voted for Mr. Cunningham were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hunt, Lee, Mason, Milligan, Newlin, Sherrod, Smith, Staggs, Taggart, and Turner—19.

Mr. Browne, having received a majority of all the votes cast, was declared duly elected Assistant Secretary of the Senate.

Nominations for Doorkeeper being in order,

Mr. Parrish nominated S. G. Thompson, of Wabash county.

Mr. Mason nominated J. H. Carr, of Hancock county.

Those who voted for Mr. Thompson were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jacquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Stein, Terry, Thompson, Walcott, and Ward—29.

Those who voted for Mr. Carr were

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hunt, Lee, Mason, Newlin, Sherrod, Smith, Staggs, Taggart, Turner—19.

Mr. Thompson, having received a majority of all the votes cast, was declared duly elected Doorkeeper of the Senate.

The Secretary, Assistant Secretary, and Doorkeeper elect appeared and took the oath of office, and entered upon the discharge of their respective duties.

Mr. Bennett offered the following resolution:

Resolved, That the President of the Senate appoint a committee of three Senators, to whom the Secretaries and Doorkeeper shall report the names, and duties required of all the assistants by them appointed; and it shall be the duty of said committee to authorize the appointment of such assistants only as are needed, and to report the same to the Senate for its action, and no person shall draw pay for services as such assistant, unless his employment be authorized by such committee and approved by the Senate.

Which was adopted, and

Messrs. Bennett, Reagan, and Hanna were appointed said committee.

Mr. Cullen asked and obtained leave of absence for Mr. Richmond.

Mr. Bennett offered the following resolution:

Resolved, That the President of the Senate be authorized to appoint the standing committees of the Senate.

Which was agreed to.

Mr. Cullen offered the following resolution, which was adopted:

Resolved, That a committee of three be appointed, to whom the rules of the Senate be referred for revision, and that the rules of the last session of the Senate be adopted until otherwise ordered by the Senate.

Mr. Bonham offered the following resolution, which was adopted:

Resolved, That the House be informed that the Senate has organized by the election of O. M. Wilson, Principal Secretary; T. M. Browne, Assistant Secretary, and S. G. Thompson, Doorkeeper.

Mr. Bonham offered the following resolution:

Resolved, That the Doorkeeper be instructed to furnish each Senator with one copy of Gavin & Hord's Revised Statutes, one copy of

the House and Senate journals of the last regular and special sessions, and one copy of the Brevier Legislative Reports of the last regular and special sessions.

The ayes and noes being demanded by Messrs. Oyler and Noyes,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Church, Cravens, Cumbach, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hunt, Hyatt, Jacquess, Johnson, Kinley, Lewis, Mason, Niles, Oyler, Parrish, Reagan, Rice, Sherrod, Smith, Stein, Taggart, Terry, Walcott, and Ward—35.

Those who voted in the negative were,

Messrs. Barker, Cason, Cullen, English, Houghton, Lee, Milligan, Newlin, Noyes, Reynolds, Staggs, Thompson, and Turner—13.

So the resolution was adopted.

Mr. Thompson offered the following resolution, which was adopted.

Resolved, That the President of the Senate appoint, in addition to the regular standing committees, a standing Committee on Immigration.

Mr. Noyes offered the following resolution :

Resolved, That the President of the Senate be directed to appoint, among the standing committees of the Senate, one Committee on Congressional, and one on a Legislative apportionment, to consist of eleven Senators each.

Mr. Niles moved to amend the resolution as to the Committee on Legislative Apportionments, by striking out "eleven" and inserting "five" Senators.

The amendment was not agreed to.

The question recurring on the adoption of the resolution, the ayes and noes being demanded by Messrs. Hanna and Newlin,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jacquess, Johnson, Kinley, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Stein, Terry, Thompson, Walcott, and Ward—28.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hunt, Lee, Lewis, Mason, Newlin, Sherrod, Smith, Staggs, Turner, and Taggart—20.

So the resolution was adopted.

Mr. Cullen offered the following resolution, which was agreed to :

Resolved, That the State Librarian be instructed to purchase proper and suitable desks for the Secretaries of the Senate.

On motion by Mr. Bennett, the Senate adjourned until 2 o'clock P. M.

TWO O'CLOCK P. M.

The Senate met.

The President announced the following as the Committee on revision of the rules of the Senate :

Messrs. Cullen, Cravens, and Howk.

Mr. Bennett offered the following resolution :

Resolved, That the State Librarian be authorized to furnish stationery for the use of the Senate, and that the President of the Sen-

ate, the Doorkeeper, each chairman of a committee for the committee, and each Senator, be authorized to draw such stationery as he may need from the Librarian upon his own order, not exceeding in value twenty dollars; that the Principal and Assistant Secretaries be authorized to draw from the Librarian, upon their own orders, such stationery as they may need in their respective departments; that the Librarian shall keep an account of all such stationery, and three days before the adjournment of the General Assembly he shall make a report to the Senate, showing the whole amount of stationery used during the session, the amount in value drawn by each Senator and officer of the Senate, and for the purpose of carrying out the provisions of this resolution the Librarian be authorized to employ a clerk.

Mr. Mason offered the following as a substitute for the resolution of Mr. Bennett:

Resolved, That the President of the Senate appoint a committee of three Senators, who shall recommend the most suitable manner of supplying the members of the Senate with stationery, during the session and that all resolutions on the subject of stationery be referred to said committee.

On motion by Mr. Oyler the substitute was laid upon the table.

The resolution was then adopted.

A message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has organized by the election of Hon. D. C. Branham, Speaker; Cyrus T. Nixon, Principal Clerk; Philip A. B. Kennedy, Assistant Clerk, and Capt. John Campbell, as Doorkeeper; and that the House is now ready to receive communications from the Senate.

Mr. Bonham offered the following resolution, which was adopted:

Resolved, That the Doorkeeper be instructed to contract for and place upon the desks of Senators, three copies of the Indianapolis

Daily Journal; three copies of the Daily Herald; three copies of the Daily Evening Gazette; three copies of the Daily Telegraph, and three copies of the Volksblatt, two copies of each to be suitably wrapped and stamped for mailing; provided, the same will publish a correct report of the proceedings of the Legislature.

BILLS INTRODUCED.

Mr. Bennett introduced

Senate Bill No. 1. An act to divide the State into Congressional Districts.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Thompson introduced

Senate Bill No. 2. An act to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and providing compensation for the services of such officers.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bellamy introduced

Senate Bill No. 3. An act regulating the salaries of Prosecuting Attorneys, and repealing all laws inconsistent therewith.

Which was read a first time, and passed to a second reading on to-morrow.

Message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT:

I am directed to inform the Senate that the House has passed the following resolution:

Resolved, That a committee of three be appointed by the Speaker, who, with a like committee on the part of the Senate, are requested

to inform his Excellency, the Governor, that the General Assembly is now organized and ready to receive any communication he may have to make, and that the Clerk be requested to communicate this resolution to the Senate; and that, in accordance with said resolution, Messrs. Hartman, Wolfe and Hughes have been appointed said committee on the part of the House.

The President appointed Messrs. Bennett, Oyler, and Newlin a like committee on the part of the Senate, of which appointment the Secretary was directed to inform the House of Representatives.

Mr. Milligan offered the following resolution :

Resolved, That a committee of three be appointed to act with a similar committee on the part of the House, to invite some Minister of the Gospel to open the session of the General Assembly with prayer immediately before the delivery of the Governor's Message.

Which was adopted, and

Messrs. Milligan, Niles, and Gifford were appointed said Committee on the part of the Senate.

Mr. Bennett, from a special committee, made the following report :

MR. PRESIDENT :

The special committee appointed by a resolution of the General Assembly to wait on His Excellency, the Governor, and inform him of the organization of both Houses, and to ascertain from him, at what time he would be pleased to communicate to the General Assembly his message, beg leave to report that they have performed that duty, and that His Excellency, the Governor, has designated to-morrow at $2\frac{1}{2}$ o'clock, P. M., as the time of such communication, in the hall of the House of Representatives.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has concurred in the resolution of the Senate to appoint a special

committee to wait upon some Minister of the Gospel, and open the joint session of the two Houses with prayer, and that Messrs. Newcomb, Kiser and Wood have been appointed said committee on the part of the House, and that the House has passed the following resolution, to-wit:

Resolved, That the Senate be invited to attend in the Hall of the House at 2 o'clock, P. M., on to-morrow, the 11th instant, to hear the message of His Excellency, the Governor.

On motion by Mr. Cullen, the Senate adjourned until to-morrow at 2 o'clock, P. M.

FRIDAY AFTERNOON, 2 O'CLOCK, }
January 11, 1867. }

The Senate met.

The journal of yesterday was read.

A message from the House by Mr. Nixon, the Clerk thereof.

Mr. PRESIDENT :

I am directed to inform the Senate that the House is now ready to meet the Senate in the hall of the House for the purpose of hearing the Governor's Message, and that seats have been prepared for the Senate on the right of the Speaker's chair.

By consent of the Senate,

Mr. Niles introduced the following resolution :

WHEREAS, The Senator from Boone is in slender health ; now in order to relieve him for the present, as far as may be, from constant attendance on committees,

Resolved, That the President of the Senate be authorized to add an eighth member to such committees as shall include the name of the said Senator from Boone.

Which was adopted.

Mr. Milligan, from a select committee, made the following report :

Mr. PRESIDENT :

The Committee to whom was referred a resolution to meet with a similar committee from the House to invite a minister of the Gospel to open the General Assembly with prayer, have the pleasure to report that they have procured the services of the Rev. Mr. Heckman.

On motion by Mr. Bennett, the message from the House requesting the Senate to meet in joint convention was taken up, and the request of the House was concurred in.

Thereupon the Senate repaired to the hall of the House of Representatives, to receive the message of His Excellency the Governor, the President of the Senate occupying the Chair.

The Throne of Grace was addressed by the Rev. George C. Heckman.

The Governor then delivered the following message to the two houses of the General Assembly:

Gentlemen of the Senate and House of Representatives:

Throughout the year which has just passed, the people of Indiana have been greatly blessed. The pestilence which desolated other parts of the country, touched within our borders but lightly, and did not long remain, and good health has generally prevailed to an unusual degree.

Although one of our staple crops has fallen short, causing loss and embarrassment to many, yet we have had great and almost unexampled prosperity.

Agriculture has been prosperous, commerce has flourished, manufactures have been extended, public improvements of various kinds projected and successfully prosecuted.

When we consider that the country has just emerged from a dreadful war, in which our State bore a distinguished part, and suffered greatly in the loss of thousands of her best citizens, and the withdrawal from labor and business of many thousands more, her general prosperity and growth in population and wealth is as surprising as it is gratifying.

According to the census of 1860, the population of Indiana was one million three hundred and fifty thousand four hundred and twenty-eight (1,350,428).

By the enumeration which has been made and returned to the Auditor of State, under an act of the last Legislature, it is shown that, in 1866, the State had a population of three hundred and forty thousand two hundred and forty (340,240) white males over the age

of twenty-one years, which number multiplied by the ratio usually adopted, would give a population of over one million seven hundred thousand. The estimate will also be sustained by comparing the aggregate vote of 1860 with that of 1866, and shows an increase of more than three hundred and fifty thousand in six years.

According to this ratio of increase, the State will have within her borders in 1870 more than two millions of people, which would be an increase of over forty-eight per cent. in ten years. It is doubtful whether any State in the Union is growing more rapidly in population, wealth, manufactures, public improvements, and the general development of agricultural resources. This great result is owing in large part to the high character which the State has acquired during the war.

The large number of men she furnished to the armies of the Union, under circumstances of great trial and difficulty, their uniform and distinguished gallantry on every battlefield, surpassed by the soldiers of no other State, the great and continued liberality of her people for sanitary purposes and to relieve the distress growing out of the war, and the faithful performance of all obligations of whatsoever kind in the midst of the great conflict, have commanded universal admiration and directed the attention of the enterprising, and those who in every State are seeking for new homes, to the advantages presented to the labor and capital of the immigrant.

GOVERNOR BAKER.

I was absent from the State on account of ill health, from the 16th day of November, 1865, until the 17th day of April, 1866, during which period the duties of the office, under the Constitution, were performed by Governor Baker. The great ability and fidelity to the interests of the State, which distinguished the administration of Governor Baker, commanded the general approval of the people, and makes a public acknowledgement on my part proper as well as a great pleasure. The duties which devolved upon him were of an important character, and were so well and faithfully discharged as to be satisfactory to all.

THE PUBLIC DEBT OF THE STATE.

The public debt of the State outstanding in the hands of creditors, to be provided for, is as follows :

Five per cent. stocks	\$3,829,936 33
Two and a half per cent. stocks	1,191,091 65
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Total amount of stocks.....	\$5,021,027 98
War Loan Bonds	309,000 00
Vincennes University Bonds.....	66,585 00
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Total public debt.....	\$5,396,612 98

The Auditor estimates that the State Debt Sinking Fund tax for 1866 will on the 1st day of July next, furnish nine hundred thousand dollars, (\$900,000) and that enough can be drawn from the General Fund in the Treasury at that time, and added to this amount, to redeem all the outstanding two and a half per cent. stocks, which will leave outstanding in the hands of creditors, to be provided for otherwise, four million two hundred and five thousand five hundred and twenty-one dollars and thirty-three cents (\$4,205,521 33).

The assets of the Sinking Fund, independent of State stocks and bonds, which, by the law of last winter, are to be applied to the payment of the State Debt, may be safely estimated at one million dollars (\$1,000,000), of which amount five hundred thousand dollars (\$500,000) can be made available by the 1st of July, 1870, and which if properly applied, would leave the balance of the debt to be provided for and paid by taxation, three million seven hundred and five thousand five hundred and twenty-one dollars and thirty-three cents (\$3,705,521 33), which, it is estimated by the Auditor, will be fully accomplished, at the present rate of taxation for that purpose, by the 1st of July, 1870.

This shows the financial condition of the State to be better than at any former period in her history, and presents the gratifying prospect that by 1870 she will have taken up all her stocks and be out of debt, without adding to the taxes which have been already imposed.

To avoid confusion of ideas it must be borne in mind that the money and property of whatever kind belonging to the old Sinking Fund are held for the benefit of the School Fund, and while so much of the State Debt as may be purchased by the Sinking Fund is thereby extinguished in so far as creditors and the public are concerned yet it must, in another form, be kept alive for the benefit of the School Fund.

The report of the State Auditor will be found to be an able and thorough document, giving a full exposition of the business affairs of the State.

In the above estimate of the indebtedness of the State I have omitted the internal improvement bonds, amounting to three hundred and fifty three thousand dollars (353,000.)

The Auditor in his report, following the example of his predecessors for more than twenty years, has put these bonds down as a part of the indebtedness of the State. They belong to the old debt of the State upon which a compromise was made in 1846, the holders of them failing or refusing to enter into or take part in the compromise. Upon these bonds interest has not been paid for more than twenty-five years. The attitude of the State in regard to them is not creditable and ought to be changed. Year by year, the State, by her accounting officers publishes and confesses to the world that they are a part of her indebtedness, but pays no interest on them, which has now accumulated to more than half a million of dollars, and makes no offer to pay the principal although it has long been due. The character of Indiana is too high, and her position too proud to allow her to occupy an attitude so equivocal. It is not my purpose to enter into any discussion at this time as to the legal and moral obligation of the State to pay the interest and principal of these bonds in whole or in part; but I desire simply to say that if the State believes that she is not bound to pay them and does not intend to do so, she should through the Legislature promptly declare that fact to the world, and have them stricken from the books of the Auditor.

If, on the other hand, she holds herself bound to pay the whole or any part, she can not honorably longer delay to take action for that purpose, as her ability to pay can not be denied.

STATE DEBT SINKING FUND.

In pursuance of the provisions of an act passed at the late special session of the Legislature, creating a State Debt Sinking Fund, for the payment of the State debt, and abolishing the Board of Sinking Fund Commissioners and all offices connected therewith, the Auditor, Treasurer and Agent of State, acting as the State Debt Sinking Fund Board, have purchased in the market four hundred and sixty thousand, thirty-six dollars and ninety one cents of the certificates of

Stock, bearing interest at the rate of two and a half per cent., which they have caused to be cancelled.

The Board of Sinking Fund Commissioners, by virtue of an act passed also at the late extra session, directing them to invest any moneys belonging to the Fund in Indiana State Bonds or Stocks, have purchased Stocks and Bonds to the amount of seven hundred and nine thousand, and twenty-four dollars and eighty-five cents.

The Auditor of State and the Agent of State in their reports point out several material defects in the first of the above mentioned acts which require legislative remedy. In addition to those pointed out by these officers, I will call your attention to another.

The seventh section of the act abolishes the Board of Sinking Fund Commissioners on the 20th day of January, 1867, and directs that all the property of whatever kind, both real and personal, belonging, to said Fund, together with the books and papers, be surrendered and turned over to the Auditor. The annual sale of Sinking Fund lands took place on the 11th day of December, 1866, and by the terms of the law, deeds are to be made to the purchasers of such as are not redeemed at the expiration of sixty days from that time, which will be in February, at which time the Board of Sinking Fund Commissioners having ceased to exist, there will be no officer having authority to execute the conveyances. It will therefore be necessary to empower some officer or officers to execute the deeds and perfect the contract with the purchasers.

The act is further defective in failing to give the Auditor authority to collect the money upon the Bonds and Mortgages falling due, which are to be placed in his hands by the Sinking Fund, by selling the mortgaged lands,

Such authority should be directly conferred, and he, or other proper officers, should be empowered to execute conveyances to the purchasers.

As the law now stands after the 20th of January, 1867, there will be no officer authorized to sell the mortgaged lands, or make deeds to purchasers therefor.

The borrowers from the Sinking Fund on mortgage security, have, by special enactment, had their loans extended for five years from 1868, by paying the amount due in equal annual installments. Upon their failure to pay any of these installments, their lands can be offered for sale, and if there are no cash bidders, sold on a credit of five years. This may defer a collection of a part of the money for

eleven years, and as the State has abandoned the policy of lending money on mortgage security, it will be inconvenient and unnecessary to keep these claims outstanding so long, and I therefore recommend that the law be so changed that when the mortgaged lands are sold, they be sold for cash, and thus close up the transaction five years sooner.

SINKING FUND INVESTIGATION.

At the late special session a concurrent resolution was adopted, directing the Governor to appoint a committee of three persons to investigate the management and operations of the Sinking Fund, and the manner in which the moneys belonging to it had been invested or deposited.

Governor Baker appointed on this committee, Hon. E. W. H. Ellis, Hon. John A. Matson, and Major Thomas J. De La Hunt. The committee met and organized by the appointment of Charles P. Jacobs, Esq., as Secretary, and proceeded to the investigation.

Their report, accompanied with the evidence in the matter, is herewith submitted.

ADJUTANT GENERAL'S REPORT.

The office of Adjutant General has been well and ably administered by General Terrell. The report which he is publishing will consist of seven large volumes, of which six have been already issued, and will be invaluable as a history of the officers and soldiers of Indiana during the late rebellion. It is intended to give the name and military history of every officer and soldier who went into the army from this State, and thus furnish a public record of the service and honorable discharge of every good soldier, and fix the status of every deserter and of every man who was dismissed or punished for cowardice or crime. The value of the record will increase with years, and will be held sacred by coming generations, to whom it will perpetuate the honorable deeds of their ancestors; and it is to be regretted that the Legislature did not make provisions to have the work stereotyped and the plates purchased and held by the State. From those who have compared it with the reports from other States, I am assured that it will be found to be more complete in its information and perfect in its arrangement than any similar work, and General

Terrell is certainly entitled to great credit for the ability, care and industry displayed in its preparation.

QUARTERMASTER GENERAL'S DEPARTMENT.

The State received from the General Government, at various times during the war, for the use of the Indiana Legion, (41,572) forty-one thousand five hundred and seventy-two pieces of small arms, and twenty-one pieces of artillery, with carriages, caissons, and equipments, all of which were charged to the State, and required to be accounted for.

The report of the State Quartermaster, General Stone, shows that (41,212) forty-one thousand two hundred and twelve guns have been returned to the proper United States ordnance officers at this point, and (530) five hundred and thirty guns lost and destroyed in the service have been accounted for by proper affidavits, making a total of (41,742) forty-one thousand seven hundred and forty-two guns accounted for to the General Government, and that all the artillery, caissons, and equipments have been returned. This leaves the State clear of all liability on the score of arms for the use of the militia, and the account has been closed, which is a most desirable result.

General Stone's report is lengthy, and gives a comprehensive statement of the operations of the Quartermaster's Department from the time of his appointment. The Department has been a large and cumbrous machine, but has been managed with great fidelity, ability and success, for which General Stone is well entitled to the thanks of the State. His position has been one of great responsibility and labor, and its duties have been performed to my entire satisfaction. Your attention is especially invited to the interesting details in his Report.

PAYMASTER GENERAL'S REPORT.

The report of Major Stearns Fisher, Paymaster of the Indiana Legion, shows that about fifty thousand men have received pay for military service in repelling rebel raids and guarding against invasion.

The whole amount of money disbursed by him for military service amounts to five hundred and sixty-six thousand three hundred and ninety dollars and twenty-eight cents (\$566,390.28). There still remain unpaid claims allowed by the Auditing Committee amounting

to over thirty-three thousand dollars, which are being paid as fast as presented. And there are also claims, apparently just, amounting to twenty-five or thirty thousand dollars, which have been presented since the Auditing Committee was abolished, but cannot be paid until an appropriation is made for that purpose. Although the amount of money disbursed is not very large comparatively, yet it has been paid out in small sums, and the business has been complex, involving a great number of accounts, and has been ably and faithfully performed by Major Fisher.

COLONEL WILLIAM H. SCHLATER.

Colonel William H. Schlater has acted as my Military Secretary, except during the time that he was in the field, from the beginning of the war. His ability for the correct and rapid dispatch of business as a Secretary, is without a superior, and his accurate recollection of names, dates, and minute circumstances connected with the organization of the army, rendered his services most valuable. Our relations have been most agreeable, and it affords me pleasure to make this public acknowledgment.

MILITARY AGENCIES.

The military agencies in this city, and in Washington, for the prosecution and collection, free of charge, of bounties, back pay and pensions, due to soldiers and soldiers' widows and orphans, have been kept in operation, and have transacted a large amount of business and rendered great service to those who are poorly able to pay for it. The report of William Hannaman, Esq., gives a full statement of the transactions of the two agencies, and contains matter and suggestions of much interest and importance. In my opinion the agencies ought to be maintained and their sphere of usefulness enlarged by appropriate legislation.

BENEVOLENT INSTITUTIONS.

The general management of the Institutions for the Blind and Deaf and Dumb, and the Asylum for the Insane has been satisfactory, and I believe that the Board of Trustees and the several superintendents, have labored to conduct them upon sound and

economical principles. At the last session of the General Assembly an act was passed authorizing the enlargement of the Insane Asylum for the reception and care of the "incurable insane." The construction of the buildings has been commenced, but further appropriations will be required for their completion. The necessity for this enlargement and addition can not be denied. Many cases of the "incurable insane" have come to my knowledge, where the patients are without friends, or their friends are unable to take care of them, and which are of a character to make it difficult to provide for them in the County Poor Houses, and render it important that the new building should be completed without delay.

The general efficiency and success of the benevolent institutions of Indiana are creditable to the intelligence and humanity of her people.

PENITENTIARIES.

The reports from the Boards of Trustees and the Wardens of the Northern and Southern prisons, and other information I have received, show that the prisons have been well and economically conducted. A fire occurred in the machine shops of the Southern Prison last summer, by which considerable damage was done, and a number of convicts thrown out of employment. As they could not again be returned to labor until the damages had been repaired, for which there was no appropriation, I took the responsibility of urging the State Treasurer, Honorable John I. Morrison, to pay from the Treasury the necessary amount to make the repairs, which he did, and I now respectfully ask this General Assembly to approve his conduct. It was done to prevent a considerable loss to the State in the way of convict labor.

The Report of the Board of Trustees of the Northern Prison states that the sum of sixty-three thousand eight hundred and ninety-two dollars and seventy-six cents will be necessary to complete the construction of that prison, and for deficiencies on account of work and materials already furnished, eighty-seven thousand nine hundred and twenty-nine dollars and forty-three cents, for which amounts an appropriation is asked, and to which your attention is specially directed.

HOUSE OF REFUGE.

The second section of the ninth article of the Constitution reads as follows :

“The General Assembly shall provide Houses of Refuge for the reformation and correction of juvenile offenders.”

This constitutional provision, adopted in 1851, and which is plainly mandatory in its character, up to this time remains wholly unexecuted. The necessity for such institutions is admitted by all who are at all familiar with the administration of the law, and I believe that a strong public sentiment demands that the legislative consideration of the subject shall not be longer postponed. We have no punishment now for the juvenile offender but the common jail and the penitentiary, neither of which exert a reformatory influence upon the youthful mind; and, during my six years experience as the Executive of the State, I have often been constrained to pardon the youthful criminal, because I felt that to incarcerate him in the penitentiary would be to consign him to a life of degradation and crime. Humanity, justice, and the plainest principles of public policy, demand that the juvenile offender shall not be treated like the mature and hardened criminal, and placed in the society of felons, but that an effort shall be made, while he is yet in tender years, to reclaim him from vice and train him to a life of usefulness and respectability.

The “House of Refuge,” as it has long existed in many of the older States, is a vast improvement upon the jail and the penitentiary; but within the last few years great progress has been made in elevating the system, and results have been obtained in the reform and education of juvenile offenders that are truly wonderful.

The introduction of the “Reform School” is, in many respects, a great improvement upon the old House of Refuge, and has been attended with a success which it would be hard to believe were it not attested by indubitable evidence.

Barnabas C. Hobbs and Charles F. Coffin, distinguished members of the Society of Friends, have bestowed much attention and labor upon the subject, and have addressed to me valuable communications, which I herewith lay before you, together with reports and documents setting forth the character and operations of the Reform Schools of New York, Ohio and Illinois.

As the subject is one of no ordinary magnitude, and requires for its full understanding much thought and investigation, and as the

system you may adopt will be intended not for a year only, but for all time, and should be wisely considered, I recommend that committees be appointed at an early day, with full powers to investigate the subject and report a plan, if possible, for your consideration and action at the present session.

SUPREME COURT.

I deem it my duty to direct your attention to the fact that no provision has been made for the accommodation of the Supreme Court. The State House does not afford sufficient room at any time, and during the sessions of the Legislature none of the Judges can occupy rooms there for chambers. The large and increasing business of the Court can not be promptly disposed of unless the Judges have comfortable chambers, with convenient access to the law library and the judicial records.

The importance and dignity of the Court, the necessity for the prompt dispatch of its business, and a proper regard for the comfort and convenience of the Judges, require that the Court room, clerk's office, law library, and the chambers, should be situated adjacent to each other. It is not becoming or excusable that the judicial department of the government should be neglected and left to shift about for a local habitation, deprived of those conveniences necessary to the speedy and comfortable performance of its duties.

ENUMERATION AND APPORTIONMENT.

At the Special Session of the General Assembly, in 1865, an act was passed directing that an enumeration of the white male inhabitants over twenty-one years of age, be made in each county in the State, prescribing rules and regulations therefor.

This enumeration has been made and properly returned to the Auditor of State, who has caused it to be published.

Section 5, article 4, of the Constitution of the State declares that: "The number of Senators and Representatives shall at the session next following the period of making such enumeration be fixed by law, and apportioned among the several counties according to the number of white male inhabitants above twenty-one years of age in each."

This provision is positive and mandatory in its character, and requires this General Assembly to apportion Senators and Representatives among the several counties in the State, according to the number of white male inhabitants above twenty-one years of age in each.

The State for full six years has been without a law, apportioning Senators and Representatives in the several counties. During that time members of the General Assembly have been elected by common consent, and from necessity, upon the basis of the old law.

While these elections are really without authority of law, but from necessity must be received as legal, the basis made by the old apportionment, has by lapse of time and changes of population, become grossly inequitable.

The relative population of counties and Senatorial and Representative Districts has, in many cases, become so greatly altered as to conflict utterly with the theory of representation prescribed by the Constitution.

As the General Assembly is now in possession of the proper data upon which to make an apportionment, I trust that duty will be fully performed before your final adjournment.

REGISTRY LAW.

The purity of the ballot-box is essential to the maintenance of free institutions. In so far as it is corrupted, it not only fails to express the will of the people, but defeats their will, and places the political and civil power in the hands of fraudulent holders. If we would have the decisions of the ballot-box respected, and the voice of the majority peacefully obeyed, it must be by making our elections an honest exposition of the people's will—an exposition so fairly and certainly made, as to leave in the public mind no want of confidence in its integrity. But upon that subject I need not enlarge, as there is not a member of this General Assembly who does not fully comprehend its vital importance, and I will proceed at once to the consideration of the evil for which, if possible, a remedy should be found.

It is a notorious fact that under our election laws, men go to the polls and vote, who at the time have not the right to vote anywhere; that men vote in precincts and townships where they do not reside, and often vote several times on the same day, at different places, and sometimes at the same place.

The oath which is prescribed by law to be administered to persons, whose votes are challenged, has been found practically to furnish but little security against fraudulent voting.

The statute provides, that if taken it shall be conclusive as to the right of the person to vote, and no other evidence shall be received to impeach its truth.

In cities and precincts where the vote is large, it is administered in haste, and is received by those who are intent on fraudulent voting as an empty form, which carries with it no terrors, and to which little attention is paid. The only remedy for this evil, in my judgment, is the enactment of a law requiring all legal voters to be registered, in books prepared for that purpose, and before such officers, and in such manner and form as may be prescribed. Such registry to be completed by a certain time before the election, kept at a known place, and exposed to public inspection, that errors may be corrected and frauds detected.

It has been said, however, that under the Constitution a Registry Law can not be adopted. The constitutional provision is in these words:

“Article I. Section 2. In all elections not otherwise provided for by this Constitution, every white male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the State during the six months immediately preceding such election; and every white male of foreign birth, of the age of twenty-one years and upwards, who shall have resided in the United States one year, and shall have resided in this State during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote in the township, or precinct where he may reside.”

From this it will appear that persons otherwise qualified have the right to vote, if they are residents of the township or precinct on the day of the election, and have had no previous residence therein, whence it has been said that a law requiring a registry on a day previous to the day of election, would be unconstitutional. There is, in my opinion, no force in this objection. The question as to the way and manner of proving residence is entirely within the control of the Legislature. It may by law require verbal proof, as it now does, or, it may require the evidence to be in writing. It may accept of the oath of the person proposing to vote as conclusive, or, it may reject

his oath altogether, and require the testimony of other persons. The Legislature has, from time to time, regulated the competency of witnesses and the form of giving testimony in courts of justice, in some cases requiring it to be in written depositions taken out of court, and in others the personal presence of the witnesses before the court and jury. It certainly has equal power to determine in what manner the proof of residence shall be made before an election board.

All persons claiming the right to vote, who are residents of the township or precinct, at a time certain before the election, say thirty days, can be legally required to have their names registered, in such place, and in such manner and form, as may be prescribed, and the registry thus made to constitute the legal evidence of their qualifications and right to vote. For such persons who claim to have acquired a residence within the township or precinct, within thirty days before the election, or on the day of the election, special provision can be made.

The constitutional provision of Illinois upon this subject is as follows:

“ARTICLE II. Section 1. In all elections, every white male citizen above the age of twenty-one years, having resided in the State one year next preceding any election, shall be entitled to vote at such election; and every white male inhabitant of the age aforesaid, who may be a resident of the State at the time of the adoption of this Constitution, shall have the right of voting as aforesaid; but no citizen or inhabitant shall be entitled to vote, except in the district or county in which he shall actually reside at the time of such election.”

It will be seen that upon the subject of residence in the township or precinct, it is the same as ours, it being sufficient to acquire the residence on the day of the election. The Legislature of Illinois has enacted a Registry law, and have provided that persons, claiming the right to vote, whose names are not upon the registry, shall make their affidavits in writing, stating specifically, the place where they live, when they acquired their residence, and their occupation, which affidavit must be sustained by the testimony, in writing, of some other person of acknowledged residence in the township or precinct. The cases coming under these specific provisions must ordinarily be few in number, and give but little delay or embarrassment to the Election Board, while the safeguards furnished against fraudulent voting are most obvious. In the one class of cases, the registry constitutes the evidence of the right to vote, and in the other class

the written affidavits, and there can be no question as to the legality of both provisions. It is quite possible that a better method can be adopted as to cases of late residence, than that prescribed by the Legislature of Illinois, which I have referred to only to show one plan, which is in use.

I commend the subject to your earnest and immediate attention, trusting that the state of the public mind and the condition of parties are such that there will be no hesitation in any quarter in effecting the much needed reform.

SOLDIERS' AND SEAMEN'S HOME.

When the war ended and our armies were mustered out of the service, and hospitals broken up, there were many gallant soldiers who were disabled by wounds and diseases contracted in the service from making their own living, and taking care of themselves. Many of them were without homes and without friends, who must either pass into the common poor houses of the country as paupers, be subsisted by private charity, or provided for by the State. The support furnished by private charity, would be precarious and uncertain, and justice, humanity, and the honor of the State, forbade that these men should suffer for the comforts of life, or find that the poor house and the society of paupers should be the end and reward of their campaigns, in which they had sacrificed their health and capacity to provide for themselves. The State had called them to the field, and they had nobly responded, by abandoning their occupations, leaving behind them family, friends, the comforts and pleasures of life, and entered the army to fight for a cause in which they had no greater interest than those who remained at home to pursue their avocations and live quietly and safely with their families and friends.

It was not charity, it was not benevolence on the part of the people or the State to make liberal and generous provision for these men, but it was a duty than which none could be higher or more sacred. Accordingly, to meet immediate demands for relief, and to inaugurate a measure imperatively demanded by humanity and the strongest obligations, on the 15th day of May, 1865, I issued an address for the purpose of enlisting the sympathies of the people in establishing a Soldiers' and Seamen's Home, and in pursuance of the invitation contained in it, two successive meetings were held at Indianapolis for the purpose of effecting a temporary organization of

a Home for disabled Indiana Soldiers and Seamen, and to institute a system for the collection of voluntary contributions sufficient, ultimately, to place it on a permanent foundation.

At the second of these meetings, held on the 24th day of May, 1865, a temporary organization was effected, the basis of which will be seen by reference to a copy of the proceedings of said meeting herewith respectfully submitted. The temporary Home was opened in the City Hospital Building at Indianapolis, on the 27th day of August, 1865, and up to the 30th day of November, 1866, the number of men admitted was 224. Of this number 134 have been discharged, fourteen have died, and seventy-six remain in the Home. Early last spring the Board of Directors purchased the property known as the "Knightstown Springs," in Rush county, at a cost of \$8,500, to which place the Home was removed on the 26th day of April. The total expense of maintaining the Home from the time it was opened until the 30th of November last, not including the cost of purchase, is \$17,060.84. This includes the salaries of officers. If we add to the above sum the cost of purchase, it will make the sum of \$25,560.84, all of which has been raised by private contribution.

I herewith submit the report of Dr. Wishard, the excellent and successful Superintendent of the Institution, and quote from it the following extract, as descriptive of the property which has been purchased:

"The farm consists of fifty-four (54) acres of excellent land, thirty-five (35) of which are under cultivation—the balance a beautiful grove of forest timber. The buildings are large and commodious, affording ample room for about one hundred patients. They were however, much dilapidated and out of repair, but have been repaired until they are now very comfortable. Some additions have also been made in the way of hospital buildings, which are of great advantage in the treatment of the sick and wounded."

As lingering wounds, disease and old age do their work, the number of men to be cared for must largely increase for some years, and the question is presented, in what manner the institution shall be maintained?

Thus far it has been built up and supported by private contribution, resulting from the labor of a few men, but it cannot be kept in operation longer in this way. The obligation to support our disabled veterans rests equally upon all, while the number of persons who give by private contributions is small, and they are already tired and

demand that the burden shall be made to fall upon all the people according to their capacity to pay. That this demand is just and patriotic, I will not further argue, and earnestly recommend that committees be appointed to investigate and examine into the character of the institution, and upon their report, if satisfactory, it be adopted by the State, and appropriations made to carry it on for the next two years.

The National Government has made arrangements for the establishment and maintenance of Soldier's and Seamen's Homes in several of the States, and it is quite possible that these institutions when established will have capacity to receive and accommodate all, including disabled soldiers and seamen of Indiana.

When this comes to pass it will not be necessary to continue our Home, as such, longer, and the fine property where it is located can doubtless be turned to some other humane purpose. But until that occurs, it is, in my judgment, the duty of the State to adopt the Home and make appropriations for its support.

It would not be just to pass from this subject without stating the fact that the general management and supervision of the Soldiers' Home since its first organization has been under the care and direction of William Hannaman, Esq.; his heart has been in his work, and he has given to it unremitting attention, and much of its success has resulted from his labor.

THE SOLDIER'S ORPHAN.

The soldier's orphan has not been provided for. From a return made by County Auditors to a circular addressed to them by Mr. Hannaman, it is estimated that there are in the State 2,070 orphans whose fathers have perished in the army, and a number of whom are now in the county poor houses. Their natural protectors and guardians, by whose labor they were to be supported and educated, have died in the service of their country. Many of these orphans are left in destitute and helpless circumstances, without relatives or friends who are able or willing to give them training or education. Are they not the wards of the State? Is it not the duty of the State, dictated alike by justice, humanity, and the sacrifice made by their dead fathers, to step forward as far as possible, take the father's place in giving to these orphans protection and a sufficient education to fit them for useful and honorable members of society? Can the proposition be strengthened by argument? Does not the bare

statement of it carry conviction to the mind and touch the heart of every patriotic man? The way and manner in which this can be accomplished, is a proper subject for legislative research and discovery. But it has been suggested that if the General Government shall finally provide for our disabled soldiers and seamen, that the beautiful property near Knightstown, might be converted into a "Soldier's Orphans Home."

CEMETERIES AND MONUMENTS.

The report of Colonel James Blake, who was appointed Commissioner to represent Indiana on the Board of Managers of the Gettysburg Cemetery, contains a full history of the Cemetery, its condition, the amount of money required to finish it, and the proportion due from Indiana.

Papers will also be laid before you in relation to the Cemetery at Antietam, and asking a small appropriation to defray so much of the expense as falls to Indiana in the general arrangement.

The Board of Trustees of Crown Hill Cemetery, situated about two miles from this city, donated a sufficient and beautiful part of the Cemetery for the burial of Union soldiers who died in the camps and hospitals at this place, and such as might be brought from elsewhere. The Government of the United States, represented by General Ekin, accepted the donation and agreed to pay the Crown Hill Cemetery Association the sum of five thousand dollars to be expended in the improvement of the grounds, and the dead have already been removed from the places where they were first laid and buried, to the new Cemetery.

In this Cemetery there is a high hill, quite overlooking the city, and I recommend that upon this hill the State erect a monument in memory of her brave soldiers who perished in the rebellion. We cannot pay too much honor to the memory of the men who died for their country. This monument, overlooking all the country around, would be the first object to greet the eye of the traveler as he approaches the capital, and in the language of the great Webster, when he laid the corner-stone of Bunker Hill monument at Boston: "Let it rise! let it rise, till it meet the sun in its coming; let the earliest light of the morning gild it, and parting day linger and play upon its summit." To this monument each county of the State should be requested to contribute one block bearing such inscription as it might choose in commemoration of its dead and the part it bore in the war.

EMIGRATION.

On the 18th of January, 1866, Gov. Baker issued to John A. Wilstach, Esq., an appointment as "Commissioner for the encouragement of emigration to the State of Indiana, and to take such steps both in the United States and in Europe as he may deem advisable for that purpose."

Mr. Wilstach's report is herewith submitted, and your attention invited to the important suggestions it contains.

It is not necessary to argue the importance of adding to the wealth and population of Indiana by increasing the emigration to her borders from the various countries of Europe. The agricultural and mineral resources of the State are as yet comparatively undeveloped, for the want of population, labor and capital. Nearly one-fourth of the whole area of the State is a coal field, a large part of which is said to be of the best quality. Excellent iron ore is found in vast quantities in many of the counties, and, throughout the State, excepting a few small localities, the soil is rich and fertile, capable of producing all the grains, grasses and fruits in the greatest abundance. The State abounds in fine timber, and living streams of water, and in every respect presents facilities for an easy and profitable agriculture, while an abundance of coal and water power furnishes the means for manufacturing on the largest scale and cheapest terms. Large tracts of country are yet unsettled, and in many counties the population is quite sparse, and it is not too much to say that the State can support, in ease and comfort, a population three or four times larger than the present.

The people of Europe desiring to emigrate to this country can not and will not select Indiana as a home unless they are advised there is such a State, and are informed somewhat in regard to its character, population, productions, improvements, climate, and the special advantages it presents to the emigrant. When we consider how little the mass of the people of this country know in regard to the condition and character of the interior countries of Europe, we may form some opinion as to how little the masses of the people there understand about ourselves and our State. While they may have a general knowledge of the character of this country, it is the specific knowledge of our State which will bring them to her borders, and this is what we should labor to give them.

I therefore earnestly recommend the establishment of a Bureau of Emigration, upon a plan similar to that adopted by several of the

Western States, providing for one or more Agents in Europe, whose duty it shall be to furnish to persons about to emigrate to America, information of the geography, population, wealth and resources of the State, and the prospects for health, comfort, wealth and education presented to those who come in search of new homes, and of such facilities for getting here as the State may be able to furnish. Some of our sister States have in this way added largely to their population and wealth, and while we are somewhat late in beginning, it will be later and worse for us the longer it is put off.

The fact that Indiana is rapidly growing in wealth and population, furnishes no reason why that growth should not be greatly accelerated by the use of means so simple and legitimate in their character, and costing so little when compared with the great advantages to be derived. I had the honor to call the attention of the Legislature to this subject at the regular session in 1865, and beg leave to repeat the arguments and recommendations I then offered.

I request your special attention to that part of Mr. Wilstach's report in which he describes the effort made and the difficulties attending it, to make an exhibition of Indiana productions, manufactures and mineral resources at the "World's Fair," to be held in Paris this year. The importance of thus presenting to the people of the "Old World" in a tangible form the great resources of our State, requires no illustration.

SCHOOLS.

The School Fund of Indiana may be estimated in round numbers at \$7,611,337.44, and is, I believe, larger than the School Fund of any other State.

While our school system is far from being what it ought to be, yet it is being gradually and substantially improved. The standard of qualification for teachers has been elevated, and teaching, as a science, is far better understood than formerly. The want of qualified teachers, which has been one of the chief obstacles in the way of the efficiency of our schools, will be greatly diminished in a few years by the Normal School, which was authorized by the last General Assembly, and which I trust will be speedily put into successful operation. The other great evil consists in the fact that the schools are kept for too short a time, and this can only be remedied by increasing, from taxation and other sources that might be made available, the annual revenue for school purposes. I will enter into no argu-

ment before this General Assembly to prove the importance of education, and that our schools should be open to all, and able to furnish an education sufficient for the ordinary business of life; but assuming that all admit this truth, will simply say that the common schools of Indiana can not furnish such an education without they are continued for a longer period in each year.

EDUCATION OF COLORED CHILDREN.

In my message delivered to the Legislature at the late extra session, I presented the importance of providing for the education of colored children in language which I beg leave here to repeat.

The first section of article eight of our State Constitution provides as follows:

“Knowledge and learning generally diffused throughout a community, being essential to the preservation of a free Government, it shall be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual, scientific and agricultural improvement; and to provide by law for a general and uniform system of common schools, wherein tuition shall be without charge, and equally open to all.”

The language of this provision is very broad, and would seem, in letter and in spirit, to embrace all the children of the State, without regard to color.

Surely it cannot be denied that, as we have a colored population in our midst, it is our interest, independent of those considerations of natural justice and humanity which plead so strongly to educate and elevate that population.

An ignorant and degraded element is a burden and injury to society, whatever may be its color. It therefore becomes a matter of sound political economy, as well as absolute justice, that whatever colored population we may have, should be educated and enabled to become intelligent, industrious, and useful members of the community.

The laws of Indiana exclude colored children from the common schools, and make no provision whatever for their education. I would therefore recommend that the laws be so amended as to require an enumeration to be made of the *colored* children of the State, and such a portion of the School Fund as may be in proportion to their number, be set apart and applied to their education by the establishment of separate schools, under such suitable provisions

and regulations as may be proper. I would not recommend that white and colored children be placed together in the same schools, believing, as I do, in the present state of public opinion, that to do so would create dissatisfaction and conflict, and impair the usefulness of the schools.

I am informed that a system can be devised by which separate schools for the education of colored children can be successfully maintained in various parts of the State, and believe that justice, humanity and sound policy, require that it should be done.

By the school law of 1865, negroes and mulattoes are not taxed for the support of common schools, but if colored schools should be established this law should be so amended as to subject them to like taxation with white persons for educational purposes.

AGRICULTURAL COLLEGE.

By an act of Congress thirty thousand acres of land were donated to each State for each Senator and Representative in Congress for the purpose of erecting and maintaining an Agricultural College. This entitled Indiana to (390,000) three hundred and ninety thousand acres. The act provided that where there were public lands in the State subject to entry at \$1.25 per acre, the quantity to which the State was entitled should be selected from such lands; but if there were no such lands in the State, or not enough, the Secretary of the Interior was to issue to such State land scrip for the requisite number of acres. This scrip cannot be located by the State to which it was issued, but must be sold; but the purchasers of such scrip may locate it upon any of the unappropriated lands of the United States, subject to sale at private entry at \$1.25 or less per acre. There being no public lands in this State for sale at private entry held by the Government at \$1.25 per acre, Indiana received her donation in scrip. The original purpose entertained by Congress of establishing Agricultural Colleges in the several States, to be maintained by substantial and sufficient endowments, was most enlightened and patriotic, but we may well doubt the wisdom of the means by which it was to be accomplished. The most of the States, having no lands within their borders upon which this grant could be located were compelled to receive it in scrip, which they were not at liberty to locate in other States and Territories, but were required to sell. Large quantities of the scrip were put upon the market at the same time, and the price suddenly went down until it could not be

sold for much over one-third of its par value. There has been no time since the State of Indiana received her scrip at which it could have been sold for more than fifty, or at most fifty-five cents per acre. At fifty-five cents an acre, it would only realize (\$204,500) two hundred and four thousand five hundred dollars, a sum wholly inadequate to successfully establish and maintain a College upon the broad and comprehensive plan contemplated by Congress. The States became rival venders in the market, and all of them competing directly with the Government, which cannot sell land in the regular way at less than \$1.25 per acre.

The scrip already sold by the several States has, with few exceptions, been purchased in quantities by speculators, some of whom will enter and hold large bodies of land to be made valuable by the settlement and improvement of other lands around them, and others will retail the scrip in small quantities, at a price greatly advanced over what they gave for it, but still underselling the Government. The reason why the States were not allowed to locate the scrip, was because it would create a monopoly, and enable them to hold lands in perpetuity, but no provision was made against permitting the speculators, who purchase the scrip at less than half its value, from doing the same thing. While it was not so intended, yet it has turned out that no better arrangement for speculators could have been devised. If the States had been allowed to locate the scrip, the land, as soon as entered, would have been worth to them \$1.25 per acre, and they might have been required, upon pain of forfeiture to the Government, to sell the same within four or six years, thus avoiding the danger of monopoly and perpetuity, and enabling them to realize at least the par value of the scrip. As the matter has turned out, it would have been much better for the State and the Government, if the Government had donated to each State the same number of dollars, instead of acres. Indiana would thus have received three hundred and ninety thousand dollars, and the Government have retained three hundred and ninety thousand acres of land which could be sold at \$1.25 an acre.

The Board of Trustees of the Agricultural College, created by an act of the Legislature at the regular session of 1865, memorialized Congress at the late session, praying that the law making the grant to the States might be so amended as to allow the States to locate the scrip under such regulations and restrictions as might be deemed proper to prevent monopoly and perpetuity. But Congress took no action on the subject. The memorial is herewith laid before you.

The Board of Trustees have had a number of meetings to consider what disposition should be made of the scrip, and in view of the fact that it could not be sold without a sacrifice of nearly two-thirds of its par value, which would realize a sum so small as to be inadequate to the accomplishment of the grand purpose which Congress had in view in making the donation, unanimously resolved to withhold it from the market entirely, and submit the whole subject for the action of the Legislature. They have made a report embodying the facts, and containing certain recommendations, which I herewith lay before you, and commend to your special consideration.

THE THIRTEENTH ARTICLE.

By the decision of the Supreme Court at its late session, the XIIIth Article of the Constitution of the State, which prohibits negroes and mulattoes from coming into the State, and from making contracts and acquiring title to property, was declared null and void, as being an infringement of the Constitution of the United States. In this decision it was held that negroes born in the United States are citizens of the United States, and of the State in which they live, and that the XIIIth Article of our Constitution was therefore in violation of that provision of the Constitution of the United States which declares that "the citizens of each State are entitled to the privileges and immunities of the citizens of the several States." The law made in execution of the XIIIth Article is of course a nullity, but I respectfully recommend that as an act of public decency it be formally repealed and wiped out.

NATIONAL DEBT AND THE CURRENCY.

It would be very flattering to our national pride, and would excite the astonishment and admiration of Europe, if we were to pay off our national debt within fifteen or eighteen years; but there are some things more important to us than flattering our vanity or astonishing the people of the Old World.

While I am not in favor of perpetuating the national debt, and do not regard it as a blessing, I am opposed to pressing our people to its sudden payment, just to show what we can do.

If this generation, after having put down the rebellion, shall accomplish the work of restoration, it will have done well, and may

very properly leave at least a part of the national debt to be paid by the next.

As the misconduct of the people of the South caused this debt to be contracted, I am decidedly in favor of requiring them and their children to pay their proportion of it, which, in their present destitute and impoverished condition, they cannot do. At this time they have very little property besides lands, and scarce anything to pay taxes on, or pay taxes with, and such their situation must be for years; and until restoration has been completed, and emigration, capital, industry, commerce and agriculture shall have brought to them wealth and prosperity. Whatever part of this debt is paid in the next five or eight years, must, from the condition of things, be collected from the people of the North, and must to that extent relieve the people of the South from a burden, which ought in justice to fall chiefly upon them.

I am therefore in favor of reducing taxation to a standard which will be sufficient to defray the ordinary expenses of the Government, and maintain perfectly the credit of the Nation by paying punctually the interest on the debt, leaving the payment of the principal to times of more general prosperity, when our commerce upon the seas shall have resumed its sway, and a largely increased population has greatly developed the agricultural and mineral resources of the country, and produced an aggregate of wealth compared with which the national debt will be but a trifling per cent.

While it is desirable to return to specie payments, at as early a period as is consistent with maintaining the business prosperity of the country, it is not a result so important that we should hazard general disaster and bankruptcy.

At this time the financial condition of the country is depressed, trade is languishing, and a widespread fear of panic and disaster prevails among the people. The continued reduction of the currency, followed by a corresponding reduction in all values, to that extent diminishes the capacity of the people to pay their indebtedness contracted at a time when the currency was much more inflated than at present and gold at a much higher premium.

If last year pork was twelve dollars a hundred and this year it is six, it is manifest that the capacity of the farmer to pay is diminished just one half, while the volume of the principal and interest of the public debt, and of his own private indebtedness has not diminished, but remains the same. Cast iron theories of finance which do not yield to the circumstances of the the times, are very apt to be

broken by a crash, and it is the part of wisdom to make the theory, however wise in general, submit to the temporary condition of the people. The unsettled and impoverished condition of the people of the South, the failure of the cotton crop, the successive failure of two wheat crops in the North, render the situation of the country quite peculiar and critical, and makes it unsafe, in my opinion, to push the further reduction of the currency at this time.

Should the General Assembly concur in these views, it would be entirely proper to present them to their Senators and Representatives in Congress.

RECONSTRUCTION AND CONSTITUTIONAL AMENDMENT.

The people of the North have not been animated by a spirit of resentment and revenge in their dealings with the South since the conclusion of the rebellion. On the contrary, they have earnestly hoped that the people of the South would kindly and sincerely accept the situation, and co-operate with them in the settlement of our national difficulties upon a permanent basis; and had the Southern people met them in this spirit, adjusted their Constitutions and laws to the new order of things, rendered justice and given equal protection to all their citizens, confiscation, disfranchisement and punishment would scarcely have been demanded. When, upon the surrender of Lee's army, General Grant gave absolution to the Confederate officers and soldiers, upon the sole condition of not again bearing arms against the Republic, the nation acquiesced in his conduct almost without a murmur, and when all the rebel forces laid down their arms, and the war was at an end, the misfortunes of the South, the fallen and prostrate condition of the people inspired in the North feelings amounting almost to compassion and forgiveness. At that time the South declared full submission, asked for lenient terms, but claimed no rights and dictated no conditions. But since then the temper of her people seems to have undergone a radical change. They have passed from submission to defiance, and the mercy which was extended to them has been requited in bloody persecutions upon the Union men and negro population in their midst. Their course has had its natural and inevitable effect upon the public mind of the North, which is rapidly passing from mercy and forgiveness to the stern demands of justice, and the exaction of the penalties for treason. The logic of events against which the arguments of the statesman weigh not, moulds the public mind and sweeps it on rapidly from

conclusion to conclusion. The impossible of yesterday is the possible of to-day, and the radicalism of to-day becomes the conservatism of to-morrow.

The patriotic and loyal members of Congress who voted for the "Winter Davis" bill in 1864, would stand aghast before it as a scheme of reconstruction in 1866. It was then thought the wisest thing to be done, but we can now see, in the light of two years' experience, how fatal it would have been to the nation. It was manifest, from the beginning, that no scheme of reconstruction could be or ought to be accepted by the people of the North, which did not involve the equalizing of representation in Congress and the Electoral College. The people of the North could not consent, honorably to themselves, nor without a disregard to the principles of Republican government, that those lately in rebellion should return to their places in the Government, and retain, in perpetuity, the right to represent four millions of colored people, whom they deprive of all political rights, which would give to them after 1870 at least thirty votes in the Electoral College and in the House of Representatives. Should the Southern States be permitted to return without the rectification of this great wrong, it would constitute a source of constantly increasing dissatisfaction in the North, would be regarded as an intolerable burden, and would dangerously threaten the future peace of the country.

I have received from the Secretary of State of the United States, an official copy of a joint resolution passed by Congress at the late session, two-thirds of each House concurring, proposing to the States an amendment to the Constitution of the United States, which I herewith submit for your consideration.

The first clause of the Amendment establishes the great fact that all persons born in the United States are subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside, and that no State shall abridge the privileges or immunities of citizens of the United States, or deprive any person of life, liberty or property without due process of law, or deny to any person within its jurisdiction the equal protection of the laws.

The second clause establishes equality of representation in the lower House of Congress, and in the Electoral College, by excluding from the basis of representation any race or class of people who are deprived of the right of suffrage, and thus takes away from all the States the right to have representation for the colored people in their midst, unless they first give to them the right of suffrage. It proceeds upon the principle that white people do not have their po-

litical rights enlarged by reason of having in their midst a colored population whom they deprive of all political rights; upon the principle that people who are not good enough to have representation for themselves are not good enough to give it to others; upon the principle that people who are not qualified to vote themselves are not qualified to duplicate the voting power of others.

The third clause declares ineligible to any National or State office any person who, having once taken an official oath to support the Constitution of the United States, afterwards committed perjury by going into the rebellion. This will tend to make treason odious by excluding from office the perjured politicians and political paupers who brought on the war.

The fourth clause declares the validity of the public debt, forever forbids the assumption or payment of the rebel debt, and prohibits the payment of any claim for the loss or emancipation of slaves. The four clauses constitute one amendment, which was submitted to the people of Indiana for their approval or rejection at the late election.

It establishes the great principle of national unity and citizenship, equality of representation, disability for treason, the good faith of the nation to her creditors, and guards the nation in future times against the corruptions of the rebel debt. It is of inestimable value to the country, and can not be safely substituted by mere legislation which is liable to repeal or destruction at the hands of the Supreme Court.

The cardinal principles of reconstruction should be planted in the Constitution, whence they can be uprooted only by the same process by which they were established. No public measure was ever more fully discussed before the people, better understood by them, or received a more distinct and intelligent approval. I will enter into no argument in its behalf before this General Assembly. Every member of it understands it, and is prepared, I doubt not, to give his vote for or against, on the question of ratification. I venture, however, to recommend that you give to it your speedy consideration, and hope that its ratification will soon be published to the world as a declaration of the spirit and purpose of the people of Indiana.

But what if the Southern people reject the amendment? But what if they continue this reign of terror, this flagrant disregard of liberty and life? Do they imagine that the North will recede, or that affairs will be allowed to remain as they are? These things are impossible. A quarter of a million of lives have been lost, billions

of money wasted, the tears of the widow and orphan are flowing, the shrieks of the murdered freedmen are heard, Union men are flying for their lives, and now the blood of the nation is up, and the cry for vengeance is abroad in the land. Let the people of the South flee from the wrath to come. Let them put away the perjured traitors who hurried them into rebellion, and now darken their counsels, and make haste to abandon their sins, and accept the proffered terms.

The Constitutional provision declaring that the United States shall guarantee to each State a republican form of government, was not intended to furnish merely a paper guaranty, but authorized the Government of the United States to interfere in a certain contingency, with the government of a State. The guaranty is to be made by the United States, that is, by the Government of the United States, which is not the President or Congress, but both together, and must, therefore, be a legislative act.

The President could not establish a State Government and accept it finally as loyal and republican in its form, and legal and complete in its structure without assuming that he is the Government of the United States, which would manifestly be absurd.

What the extent of this power is has never been settled by any precedent; and has not been defined by Kent, Story, or any of our writers on Constitutional law. It is a vast undefined power, given to the United States to guard the States against revolution, anarchy or change to monarchical or aristocratic government. If a State government has been destroyed by rebellion, the United States must set up or re-establish a republican form of government. If a State government should be converted into an aristocracy the United States must restore it to a republican form. How, or in what manner this shall be done is not marked out by the Constitution, and must, therefore, as far as we can judge, depend upon the circumstances of each case.

The government is armed with supervisory power to keep the States in their orbits by maintaining within them republican governments, and the measure of power must, therefore, be the extent of the means necessary to accomplish the purpose.

It is a well recognized principle of Constitutional law, that where a duty is enjoined, all the powers necessary to the performance of the duty are included.

Where a certain demand is made by the Constitution the means necessary to produce the result must be inferred, else the demand would be nugatory.

The only measure, therefore, we can give to this power is that it embraces whatever may be truly necessary to guarantee to each State a republican form of government. If a State government falls into anarchy the United States must re-establish it upon a republican basis, and must be held to have the right to employ whatever instrumentalities are necessary for that purpose.

Ordinarily, and when the country is in a normal condition, the subject of suffrage is in the control absolutely of the several States, and has been so treated from the first formation of the Government, and may be regarded clearly as one of the reserved rights of the States. But, if a State government shall fall into anarchy, or be destroyed by rebellion, and it is found clearly and unmistakably, that a loyal new one can not be erected and successfully maintained without conferring upon a race or body of men the right of suffrage, to whom it has been denied by the laws of the State, it would clearly be within the power of Congress to confer it for that purpose, upon the principle that it can employ the means necessary to the performance of a required duty.

Not that Congress could make a Constitution for a State, in which the right of suffrage should be fixed, but that it could call a Convention to form a new Constitution and establish a new government, and prescribe the qualifications of those who should vote for the members of that convention and participate in the organization of the new government.

The power which I claim for Congress is vast and dangerous, and should be exercised with deliberation, and only in case of clear necessity, as it trenches directly upon the general theory and structure of the Government, yet it unquestionably exists.

If, when other remedies have failed, it be the clear and deliberate judgment of Congress that loyal Republican State governments can not be maintained except by conferring the elective franchise upon the negro race in those States, Congress may confer it upon the ground that it is necessary to the performance of a prescribed duty. In this view it is not necessary to regard the rebel States as Territories, as the constitutional provision applies, in express terms, to States.

As a practical question it cannot be supposed that four millions of free colored people can for a great time be kept in a state of political vassalage and denied their voice in the government by which they are controlled, and which they help to support. As a political question, our Republican theory, which asserts that "governments exist

only by the consent of the governed," and that "taxation and representation" should go together, does not admit that suffrage shall be limited by race, caste, or color. As a question of natural right, it is hard to say that suffrage is not a natural right, when upon its exercise may depend the possession and enjoyment of all other acknowledged natural rights. It is hard to say that a man has a right to life, liberty, and the pursuit of happiness, and yet has no natural right to a voice in that government by which these other rights will be protected or denied. But as all other natural rights are subject to restriction and limitation for the general welfare of society, this should be no exception to the rule. The proposition at once to introduce to the ballot-box half a million of men, who but yesterday were slaves, the great mass of whom are profoundly ignorant, and all impressed with that character which slavery impresses upon its victims, is repugnant to the feelings of a large part of our people, and would only be justified by necessity resulting from inability to maintain loyal republican State governments without them.

But the necessity for loyal Republican State Governments that shall protect men of all races, classes and opinions, and shall render allegiance and support to the Government of the United States, must override every other consideration of prejudice or policy.

If it be found necessary not to accept the present State Governments in the South, and to exercise the great power which has hitherto lain dormant in the Constitution, the people of the South will have the consolation of knowing that it is their own act and deed. By the unrestrained slaughters of Memphis and New Orleans; by the unpunished murder of loyal men; by the persecution and exile of those who adhered to the Union; by the contemptuous rejection of the generous terms that were offered, they are fast proving that the extraordinary powers of the Constitution must be summoned to cure the evils under which the land is laboring.

Let them take warning, and speedily reform their ways before they have driven the Nation to a point where theory, passion and prejudice must all give way to the stern necessity of establishing new governments that will protect all men in equal enjoyment of life, liberty and property.

But come what will, the Nation will live, and its unity and power be established.

Throughout the late conflict, we discerned the hand of God leading the Nation through blood, to a purer morality and clearer perception of the rights of men, and cannot doubt that in His own time,

and by His chosen means, He will conduct it safely through this sea of troubles to a fraternal peace, unstained by oppression, unbroken by rebellion, and crowned with the choicest blessings ever vouchsafed to any people.

OLIVER P. MORTON.

The President then declared that the business for which the two houses of the General Assembly had been called together was concluded, and

The Senate returned to its chamber.

JOINT RESOLUTIONS.

Mr. Bennett introduced

Joint Resolution No. 1. A joint resolution ratifying certain proposed amendments to the Constitution of the United States,

Which was read a first time, and passed to a second reading on to-morrow.

BILLS INTRODUCED.

Mr. Cullen introduced

Senate Bill No. 4. An act to establish a home for the maintenance of sick and disabled Indiana soldiers.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Oyler introduced

Senate Bill No. 5. An act to amend an act entitled "an act to amend an act entitled an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian and clerk, approved March 4, 1859, and also increasing the powers and duties of the State Librarian, approved Dec. 20th, 1865."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bellamy introduced

Senate Bill No. 6. An act to amend section fifteen of an act entitled an "act providing for and regulating the relation of master and apprentice."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bennett introduced

Senate Bill No. 7. A bill to repeal an act entitled "an act to enforce the 13th article of the Constitution."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cullen introduced

Senate Bill No. 8. An act to provide for the care and custody of the person and estate of habitual drunkards.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Church introduced

Senate Bill No. 9. A bill to amend Section 13, of an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bennett introduced

Senate Bill No. 10. A bill apportioning Senators and Representatives.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cullen introduced

Senate Bill No. 11. An act to amend sections three and fourteen of an act entitled "An Act to allow County Commissioners to organize turnpike companies, where three-fifths of the persons representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction, and provide for the same to be free." Approved March 6th, 1865.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Niles introduced the following concurrent resolution :

Resolved, (the House of Representatives concurring,) That a joint committee be appointed, consisting of five Senators, to be selected by the President of the Senate, and seven members of the House of Representatives, to be selected by the Speaker, on the subject of a House of Refuge for juvenile offenders, to whom shall be referred all documents, petitions, and memorials on that subject, and which committee shall be authorized to report by bill, or otherwise.

The resolution was adopted ; and it was

Ordered, That the Secretary of the Senate inform the House thereof.

By consent of the Senate, the order of business was suspended, and

Mr. Cumback offered the following resolution, which was adopted :

Resolved, That when the Senate adjourns, it will adjourn to meet on Monday, January 14th, at 2 o'clock, P. M.

On motion by Mr. Cullen, the Senate adjourned.

MONDAY AFTERNOON, 2 o'clock, }
January 14, 1867.

The Senate met.

The journal of the preceding day was read.

The President announced the following Standing Committees of the Senate :

ON ELECTIONS.

Messrs. Richmond, Bonham, Bellamy, Oyler, Gifford, Taggart and Lee.

ON FINANCE.

Messrs. Walcott, Houghton, Jaquess, Bonham, English, Cason, and Turner.

ON THE JUDICIARY.

Messrs. Niles, Bennett, Cason, Stein, Rice, Howk, Vawter, and Mason.

ON EDUCATION.

Messrs. Cumback, Cason, Kinley, Niles, Parrish, Vawter, Hanna, and Taggart.

ON BENEVOLENT INSTITUTIONS.

Messrs. Kinley, Cravens, Reynolds, Houghton, Terry, Howk, and Huffman.

ON AGRICULTURE.

Messrs. Reynolds, Milligan, Armstrong, Jaquess, Bowman, Staggs, and Humphreys.

ON ROADS.

Messrs. Ward, Hyatt, Armstrong, Reagan, Huey, Bowman, and Humphreys.

ON CORPORATIONS.

Messrs. Cravens, Ward, Cullen, Johnson, Hanna, Sherrod, and Carson.

ON BANKS.

Messrs. Bonham, Walcott, Cullen, Lewis, Mason, English, and Turner.

ON MANUFACTURES.

Messrs. Johnson, Milligan, Brown, Cason, Kinley, Mason, Bowman, and Humphreys.

ON PUBLIC PRINTING.

Messrs. Brown, Thompson, Cullen, Noyes, Newlin, Turner, and Smith.

ON PUBLIC BUILDINGS.

Messrs. Houghton, Thompson, Hyatt, Noyes, Hunt, Barker, and Huey.

ON PRISONS.

Messrs. Thompson, Richmond, Ward, Reynolds, Gifford, Howk, and English.

ON CANALS AND INTERNAL IMPROVEMENTS.

Messrs. Cullen, Parrish, Stein, Kinley, Smith, Newlin, and Carson.

ON STATE LIBRARY.

Messrs. Rice, Parrish, Bellamy, Oyler, Huffman, Vawter, and Taggart.

ON TOWN OF INDIANAPOLIS.

Messrs. Hyatt, Noyes, Brown, Lewis, Mason, Staggs, and Newlin.

ON CLAIMS.

Messrs. Noyes, Reagan, Bonham, Church, Staggs, Humphreys, and Huffman.

ON MILITARY AFFAIRS.

Messrs. Parrish, Kinley, Cumback, Johnson, Vawter, Lee, and Barker.

ON PHRASEOLOGY, ARRANGEMENT OF BILLS, AND ENROLLED BILLS.

Messrs. Bellamy, Niles, Church, Reagan, Taggart, Turner, and Howk.

ON UNFINISHED BUSINESS.

Messrs. Milligan, Cravens, Richmond, Brown, Barker, Newlin, and English.

ON ORGANIZATION OF COURTS.

Messrs. Oyler, Cullen, Stein, Bellamy, Howk, Turner, and Hanna

ON FEDERAL RELATIONS.

Messrs. Cason, Bennett, Cravens, Church, Oyler, Huey, Lee, and Smith.

ON EXPENDITURES.

Messrs. Jaquess, Houghton, Walcott, Armstrong, Barker, Sherrod, and Bowman.

ON SWAMP LANDS.

Messrs. Terry, Hyatt, Bennett, Lewis, Hunt, Smith, and Barker.

ON TEMPERANCE.

Messrs. Reagan, Rice, Cumback, Terry, Huffman, Staggs, and Taggart.

ON COUNTY AND TOWNSHIP BUSINESS.

Messrs. Lewis, Noyes, Ward, Richmond, Sherrod, Hunt, and Lee.

ON THE RIGHTS AND PRIVILEGES OF THE INHABITANTS OF THE STATE.

Messrs. Church, Milligan, Niles, Terry, Hunt, Huey and Gifford.

ON EMIGRATION.

Messrs. Armstrong, Thompson, Rice, Johnson, Newlin, Lee, and Huffman.

ON CONGRESSIONAL APPORTIONMENT.

Messrs. Bennett, Cravens, Jaquess, Reynolds, Cumback, Stein, Sherrod, Hanna, Carson, Mason, and Hunt.

ON LEGISLATIVE APPORTIONMENT.

Messrs. Stein, Johnson, Parrish, Ward, Oyler, Walcott, English, Vawter, Gifford, Hanna, and Carson.

Mr. Brown presented a petition from sundry citizens of Indiana, praying that citizens of African descent residing in the State shall have their pro rata share of the school fund.

Which was, on motion, referred to the Committee on Education.

Mr. Mason offered the following resolution:

WHEREAS, The General Assembly of the State of Indiana passed a bill at its called session allowing the sum of twenty-five thousand dollars for the erection of a suitable building for the keeping of the incurable insane of this State; and whereas, the erection of said building is only partly completed, and the whole of said twenty-five thousand dollars appropriated as aforesaid, has been laid out and expended in the erection of said unfinished building; and whereas, it is highly necessary and humane that some building of the kind should be erected for the home of such as are incurably insane; therefore be it

Resolved, That the Committee on Benevolent Institutions be requested to make inquiry as to such steps as in their judgment they

deem proper to complete said building, and report the same to this Senate, and the probable cost that it will take to complete the building which is partly under erection for the purposes above set forth.

Which was referred to the Committee on Benevolent Institutions.

Mr. Stein offered the following concurrent resolution :

Resolved, by the Senate, the House of Representatives concurring therein, That a joint committee, consisting of three members of the Senate, and three of the House of Representatives, be appointed to inquire into the propriety of ratifying, by legislative enactment, the appointment of John A. Wilstach as Commissioner for the Encouragement of Emigration to the State of Indiana, made on the 18th of January, 1866, by acting Governor Baker, and of providing an appropriation for the payment of the expenses incident to the duties of said appointment; said committee to report by bill or otherwise.

The resolution was adopted, and it was ordered that the Secretary inform the House thereof.

Mr. Bonham offered the following resolution :

Resolved, That the Librarian be instructed to furnish the President of the Senate with twelve dollars worth of stamps, and each Senator and elective officer of the Senate, six dollars worth of postage stamps, three dollars worth in three cent stamps, and three dollars worth in two cent stamps.

Which was adopted.

Mr. Richmond offered the following resolution, which was adopted:

Resolved, That the Librarian be instructed to give the preference to the Pacific Writing Fluid, manufactured by T. C. Mitchell & Co., of Logansport, Indiana, when purchasing stationery for the use of the Senate; provided that said ink can be purchased upon as reasonable terms as any other ink of a similar quality.

The President laid before the Senate the papers of Milton S. Robinson, contesting the seat of Hon. John Hunt, Senator from the counties of Madison and Grant.

Which were referred to the Committee on Elections.

Mr. Walcott offered to following concurrent resolution :

Resolved, That a special joint committee of nine members, to consist of four Senators, to be appointed by the President of the Senate, and five Representatives, to be appointed by the Speaker of the House, be appointed to take into consideration the subject of the National Debt and the National Currency, and that they report their opinions relative to the policy of the National Government in relation to these matters.

Which was adopted.

Ordered, That the Secretary inform the House thereof.

The President laid before the Senate the following communication :

OFFICE OF AUDITOR OF STATE, }
INDIANAPOLIS, Jan. 10, 1867. }

HON. CONRAD BAKER,

President of the Senate :

SIR—In compliance with Section 12, of "An Act to provide for the periodical enumeration of the white male inhabitants of this State, over the age of twenty-one years; approved Dec. 21, 1865," I have the honor to transmit herewith one hundred copies of an outline map, showing the relative size, shape and position of each county, with the name and figures representing the number of white male inhabitants thereof, printed within the boundaries of each county, according to the enumeration taken during the year 1866, and request that you will lay the same before the Senate.

Very Respectfully, Your Obt. Servant,

T. B. McCARTY,
Auditor of State.

BILLS INTRODUCED.

Mr. Bellamy introduced

Senate Bill No. 12. A bill for the correction of mistakes in conveyances where a married woman is a party.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Oyler introduced

Senate Bill No. 13. An act to authorize and provide for changes of venue in civil action in certain cases.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Thompson introduced

Senate Bill No. 14. A bill to establish a Board of Emigration for the purpose of encouraging emigration to the State of Indiana, from the Eastern States of the United States, and from the countries of Europe.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Hanna introduced

Senate Bill No. 15. A bill districting the State of Indiana for Senatorial and Representative purposes.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Kinley introduced

Senate Bill No. 16. A bill defining a legal day, and prescribing the number of hours of labor in a day's work.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Parrish introduced

Senate Bill No. 17. A bill to amend the title of an act entitled "An act concerning licenses to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet shows and legerdemain."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Noyes introduced

Senate Bill No. 18. A bill providing in what manner property shall be sold on execution, or under process of any court in this State.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Walcott introduced

Senate Bill No. 19. A bill to provide for the revision and consolidation of the Statutes of the State of Indiana.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Oyler introduced

Senate Bill No. 20. A bill to amend an act entitled "An act prohibiting Supreme, Circuit, or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs, and their deputies, from practicing law in any of the courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof; approved March 6, 1865."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cravens introduced

Senate Bill No. 21. A bill supplemental to an act, approved March 5, 1859, entitled "An act authorizing the purchasers of railroads, plank roads, turnpike roads, and macadamized roads, or parts thereof, under mortgaged sale, or sales, made according to the terms of deeds of trust, to organize as incorporated companies, and prescribing their powers and duties," extending the time provided in said act for the organization of such distinct corporations by such purchasers.

Mr. Cravens moved that the rules be suspended, and that the bill be read a first and second time by its title.

The ayes and nays being taken, under the Constitution,

Those who voted in the affirmative were,

Messrs. Bellamy, Bonham, Brown, Church, Cravens, Cullen, Cumback, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Sherrod, Smith, Stein, Terry, Thompson, Turner, Ward, Walcott, and Vawter—37.

Those who voted in the negative were,

Messrs. Barker, Bowman, and Hunt—3.

So the rules were suspended, and the bill read a first and second time by its title, and,

On motion by Mr. Cullen, was referred to the Committee on Corporations.

Mr. Jaquess introduced

Senate bill No. 22. A bill regulating the fees of Clerks, Justices of the Peace and Notaries, in certain cases.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Oyler introduced.

Senate bill No. 23. A bill to amend an act entitled "An act defining felonies, and prescribing punishment therefor," approved June 10, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Church introduced

Senate bill No. 24. A bill to legalize acknowledgements of all deeds, mortgages and other instruments required to be recorded, taken and certified by Notaries Public, who took and certified such acknowledgements after the expiration of their commissions, or vacation of their appointments.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Kinley introduced

Senate bill No. 25. A bill apportioning the State into Congressional Districts.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Milligan asked and obtained leave of absence for Mr. Taggart.

On motion by Mr. Cullen,

Senate Joint Resolution No. 1, a Joint Resolution ratifying certain proposed amendments to the Constitution of the United States.

Was taken up, read a second time, and referred to the Committee on Federal Relations.

ORDERS OF THE DAY.

BILLS ON SECOND READING.

Senate Bill No. 1. A bill to divide the State into Congressional districts.

Was read a second time, and,

On motion by Mr. Oyler, referred to the Committee on Congressional apportionment.

Senate Bill No. 2. A bill to provide for a registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and providing compensation for the services of such officers,

Was read a second time, and,

On motion by Mr. Thompson, referred to the Committee on Elections.

Senate Bill No. 3. A bill regulating the salaries of Prosecuting Attorneys and repealing all laws inconsistent therewith.

Was read a second time, and,

On motion by Mr. Bellamy, referred to the Committee on the Judiciary.

Senate Bill No. 4. A bill to establish a home for the maintenance of sick and disabled Indiana soldiers.

Was read a second time, and,

On motion, by Mr. Cullen, referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Senate Bill No. 5. A bill to amend an act entitled an act to amend an act entitled "An act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian and Clerk, approved March 4, 1859, and also increasing the powers and duties of the State Librarian," approved December 20, 1865.

Was read a second time, and,

On motion by Mr. Oyler, referred to the Committee on the State Library.

Senate Bill No. 6. A bill to amend section fifteen (15) of an act entitled "An act providing for and regulating the relation of master and apprentice."

Was read a second time, and,

On motion by Mr. Milligan, referred to the Committee on the Rights and Privileges of the Inhabitants of the State of Indiana.

Senate Bill No. No. 7. A bill to repeal an act entitled an act to enforce the 13th Article of the Constitution.

Was read a second time, and,

On motion by Mr. Oyler, referred to the Committee on the Rights and Privileges of the inhabitants of this State.

Senate Bill No. 8. An act to provide for the care and custody of the person and estate of habitual drunkards.

Was read a second time, and,

On motion by Mr. Oyler, referred to the Committee on Temperance.

Senate Bill No. 9. A bill to amend section thirteen of an act entitled an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction powers and duties in civil cases, approved June 9, 1852, approved March 9, 1861.

Was read a second time, and,

On motion by Mr. Church, referred to the Committee on the Judiciary.

Senate Bill No. 10. A bill apportioning Senators and Representatives.

Was read a second time, and,

On motion by Mr. Cullen, referred to the Committee on Legislative Apportionment.

Senate Bill No. 11. A bill to amend section three and fourteen,

of an act entitled an act to allow County Commissioners to organize Turnpike Companies, where three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction and provide for the same to be free,

Was read a second time, and,

On motion by Mr. Cullen, referred to Committee on Corporations.

By consent of the Senate, the rules were suspended, and the following resolutions were offered,

By Mr. Richmond,

Resolved, That the Librarian be instructed to procure and place upon the desk of each Senator one oval glass inkstand of medium size, to be preserved by the Librarian for the use of successive Senators.

Which was adopted. •

By Mr. Bonham,

Resolved, That in addition to the papers now contracted for by the Doorkeeper of the Senate, that he be instructed to contract for, and furnish to the President of the Senate, and each elective officer, three copies of the Indianapolis Daily Journal; three copies of the Daily Herald; three copies of the Daily Evening Gazette; three copies of the Daily Telegraph, and Volksblatt, each to be wrapped and stamped for mailing.

Which was adopted.

By Mr. Milligan,

Resolved, That the President appoint a committee of three to refer the Governor's Message to the appropriate committees.

Which was adopted, and,

The President made the committee to consist of Messrs. Milligan, Cravens and Rice.

Mr. Hanna asked and obtained leave of absence for Mr. Howk.

On motion by Mr. Cravens, the Senate adjourned.

TUESDAY AFTERNOON, 2 o'clock, }
January 15, 1867. }

The Senate met.

The journal of yesterday was read.

Mr. Kinley presented a petition, from sundry colored citizens of Indiana, praying that all persons, irrespective of color or race, be placed on an equality before the law, and receive the benefit of the common school fund.

Which, on motion by Mr. Oyler, was referred to the Committee on Rights and Privileges of the citizens of the State of Indiana.

Mr. Rice presented a memorial from John P. Campbell, asking a change of the road law, so that common highways shall be let by contract to the lowest responsible bidder.

Which, on motion by Mr. Rice, was referred to the Committee on Roads.

The President laid before the Senate the following communications :

To the Honorable Members of the Senate of the State of Indiana :

Joseph Cooper, Hiram Shaw, and J. D. Shaw, having heretofore offered donations to be paid upon the location of the Agricultural College at the Battle Ground in Tippecanoe County, Indiana, which donations have not been accepted. Now as attorney for said Joseph Cooper, Hiram Shaw, in his own right, and as guardian of J. K. Shaw, to be heir of J. D. Shaw, deceased, I withdraw said offer of donations.

JOHN M. LA RUE,
Attorney for COOPER AND SHAW.

INDIANAPOLIS, IND., Jan'y 10th, 1867.

HON. CONRAD BAKER,

President of the Senate :

I have the honor to submit herewith to the Senate the Biennial Report of the Superintendent of Public Instruction for the years 1865 and 1866.

Respectfully and obediently,

GEO. W. HOSS,
Supt. Public Instruction.

On motion, the foregoing communication and accompanying report was referred to the Committee on Education.

By consent of the Senate, the order of business was suspended, and Mr. Bennett, from a select committee, made the following report:

Mr. PRESIDENT:

The committee appointed to superintend the appointment of the assistants of the officers of the Senate beg leave to report, that the Principal Secretary has appointed assistants as follows: W. A. Quigley, W. W. Dougherty, W. P. Vaile, R. Wes. McBride and W. P. Shepherd. In all five.

The Assistant Secretary has appointed assistants as follows: Messrs. Bryer, Hawkins, Casterline, Guard, Springer and Davis. In all six.

The Doorkeeper has appointed assistants as follows: Messrs. Clements, Conant, Campbell, Bennett, Blake, Bailey, Mathews, Farra, Colburn, Shirley and Sims. In all eleven. Also, the following pages: Masters Ohr, McNaught and Jones. Three in all.

All of which said committee approve, and recommend their confirmation by the Senate.

T. W. BENNETT,	} Com.
T. P. REAGAN,	
B. W. HANNA,	

On motion by Mr. Oyler, the report of the committee was concurred in.

Mr. Cullen, from a select committee, made the following report:

Mr. PRESIDENT:

The select committee to whom was referred the subject of Standing Rules of the Senate, beg leave to report, that they have had the same under consideration, and recommend the adoption of the printed rules of the last session for the government of this, with the following amendment to the 53d rule. After the words, "Orders of the day," add to include,

1st. Messages from the House requiring action on the part of the Senate.

2d. Bills on second reading.

3d. Bills on third reading.

The report was concurred in.

Mr. Milligan, from a select committee, made the following report :

Mr. PRESIDENT :

The committee to refer the different portions of the Governor's message, have instructed me to report the following :

The public debt of the State, to the Committee on Finance.

State debt sinking fund, to the Committee on Finance.

Sinking fund investigation, to the Committee on Finance.

Adjutant General's Report, to the Committee on Military Affairs.

Quartermaster General's Report, to the Committee on Military Affairs.

Paymaster General's Report to the Committee on Military Affairs.

Military Agencies, to the Committee on Military Affairs.

Benevolent Institutions, to the Committee on Benevolent Institutions.

Penitentiaries, to the Committee on State Prisons.

House of Refuge, to the Committee on the Rights and Privileges of the Inhabitants of this State.

Supreme Court, to the Committee on the Judiciary.

Enumeration and Apportionments, to the Committee on State Apportionment.

Soldiers and Seaman's Home, to the Committee on the Rights and Privileges of the Inhabitants of this State.

Soldier's Orphans, to the Committee on the Rights and Privileges of the Inhabitants of this State.

Cemeteries and Monuments, to the Committee on the Rights and Privileges of the Inhabitants of this State.

Emigration, to the Committee on Immigration.

Schools, to the Committee on Education.

Education of Colored Children, to the Committee on Education.

Agricultural College, to the Committee on Agriculture.

Thirteenth Article, to the Committee on the Judiciary.

National Debt and the Currency, to the Committee on Finance.

Reconstruction and Constitutional Amendment, to the Committee on Federal Relations.

Registry Law, to the Committee on the Judiciary.

Which report was concurred in.

RESOLUTIONS.

Mr. Richmond offered the following resolution :

Resolved, That Messrs. Thompson, Niles, and Sherrod be appointed a committee, with instructions to inquire into the cause of the present imperfect ventilation of the Senate Chamber, and to take measures to improve the same if possible.

Which was adopted.

Mr. Oyler offered the following resolution :

Resolved, That the Doorkeeper be instructed to procure for the use of the Senate two hundred copies of the rules of the Senate, and a list of the committees of the Senate.

Which was adopted.

Mr. Cravens introduced the following concurrent resolution :

Resolved, That the President appoint a committee of three to act with a similar committee on the part of the House to inquire into the expediency of providing suitable rooms for the various State offices, and chambers for the members of Supreme Court, and to ascertain if said offices and chambers may not be had in the same building.

The resolution was adopted.

Ordered, That the Secretary inform the House thereof.

Mr. Mason offered the following resolution :

Resolved, That the State Librarian be required to place a copy of the acts of the regular and special sessions of the Legislature of 1865, on the desk of each Senator, at as early a day as possible.

Which was adopted.

Mr. Oyler offered the following resolution :

Resolved, That the Committee on Elections; and the Committee on the organization of Courts, be, and are hereby authorized to employ a Clerk, who shall be paid for his services at a rate not to exceed that paid other employees of the Senate ; the number of days to be certified by the chairman of the committee.

Which was adopted.

Mr. Thompson offered the following resolution :

Resolved, That the Committee on Corporations be, and they are hereby instructed to enquire into the provisions of an act entitled "An act to repeal all general laws now in force for the incorporation of cities ; and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall execute the same, and to regulate such other matters as properly pertain thereto," approved December 20, 1865, and suggest such imperfections as they may find in said act, and provide for the revision of the same, and report by bill or otherwise.

Which was adopted.

JOINT RESOLUTIONS.

Mr. Carson offered

Joint Resolution No. 2. In relation to a ship canal connecting Lake Erie and Lake Ontario.

Which was read a first time, and passed to a second reading on to-morrow.

BILLS INTRODUCED.

Mr. Cullen introduced

Senate Bill No. 26. An act appropriating seventy-five thousand dollars to defray the expenses of the forty-fifth session of the General Assembly.

Which was read a first time.

Mr. Cullen moved to suspend the rules and read the bill a second time now.

S. J.—5.

The ayes and nays being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Baker, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Church, Cravens, Cullen, Cumback, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hunt, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward and Walcott—40.

Those who voted in the negative were,

Messrs. Staggs and Vawter—2.

So the rules were suspended and the bill was read a second time, and,

On motion by Mr. Cullen, referred to the Committee on Finance.

Mr. Mason introduced

Senate bill No. 27. A bill to divide the State into Congressional Districts.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bonham introduced

Senate bill No. 28. A bill to amend section 18 of an act entitled "An act prescribing the powers, and duties of Justices of the Peace in State prosecutions.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bennett introduced

Senate bill No. 29. A bill defining who shall be competent witnesses in any Court or Judicial proceeding in this State, and to repeal all laws and parts of laws in conflict with the provisions of this bill.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Reagan introduced

Senate bill No. 30. A bill to provide for the protection of *fish*, defining the time in which they may be trapped or netted, affixing the penalty for the violation of the act, and declaring an emergency.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bellamy introduced

Senate bill No. 31. A bill to amend section one hundred and seventeen (117,) and repeal section one hundred and sixteen, of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings, and forms in criminal actions in Courts of this State," approved June 17, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Rice introduced

Senate bill No. 32. A bill to provide for issuing *capias ad satisfaciendum* when in action for replevin of personal property, defendant shall fraudulently conceal, remove, transfer, withhold, or refuse to deliver said property, and providing the manner of proceedings to obtain said writ in certain cases therein specified.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bennett introduced

Senate Bill No. 33. A bill to amend sections 10, 13, 14, 15, 16, 17, and 18, of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cullen introduced

Senate bill No. 34. A bill to amend section three of an act entitled "An act to establish Courts of Common Pleas, and defining the jurisdiction, and duties of, and providing compensation for the Judges thereof," approved May 14, 1852, and creating a new district; and providing for the appointment, of a Judge therein.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Stein introduced

Senate bill No. 35. A bill to amend sections 19 and 20 of an act entitled "An act defining felonies and prescribing punishment therefor," approved June 10, 1852, defining the offences of grand and petit larceny, and prescribing the punishment therefor.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Richmond introduced

Senate bill No. 36. A bill to amend "An act to provide for the appointment of a sheriff of the Supreme Court, and prescribing certain of his duties and fees," approved May 13, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

By the consent of the Senate, Mr. Cason introduced the following concurrent resolution :

Resolved, That there be a committee of three on the part of the Senate, and three on the part of the House of Representatives, to take in consideration the re-organization of our Courts, and that said committee have leave of absence at such times during the sitting of either House as may be needed to properly prepare and perfect such a measure, and to report by bill or otherwise.

The resolution was adopted.

Ordered, That the Secretary inform the House thereof.

Mr. Cumback moved to suspend the order of business and take up a message from the House.

The ayes and noes being demanded by Messrs. Hanna and Cullen,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy Bennett, Bonham, Brown, Cason, Church, Cravens, Cumback, Houghton, Hyatt, Johnson, Kinley, Lewis,

Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward, and Walcott—29.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, Cullen, English, Hanna, Huey, Huffman, Humphreys, Lee, Newlin, Smith, Staggs, and Vawter—15.

So the order of business was suspended, and the following message of the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following Joint Resolution, to-wit :

House Joint Resolution No. 4. A Joint Resolution for suspending the sale of the Sinking Fund Buildings in the City of Indianapolis, and for the appointment of a committee to examine the same and report upon the propriety of its purchase by the State.

House Joint Resolution No. 4, contained in the foregoing message, was read a first time.

Mr. Oyler moved to read the resolution a second time now.

The ayes and noes being demanded by Messrs. Hanna and Oyler,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason Church, Cravens, Cullen, Cumback, Houghton, Hunt, Hyatt, Jaquess, Johnson, Kinley, Lewis, Mason, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward, and Walcott—31.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Hanna, Huey, Huffman, Humphreys, Lee, Newlin, Niles, Smith, Staggs, and Vawter—14.

So the Joint Resolution was read a second time.

Mr. Niles moved to amend as follows :

Amend by striking out 60 days and inserting 10 days.

The question being on the adoption of the amendment,

The ayes and noes were demanded by Messrs. Oyler and Bonham.

Those who voted in the affirmative were,

Messrs. Barker, Carson, Cravens, Gifford, Hanna, Huey, Huffman, Humphreys, Mason, Milligan, Newlin, Niles, Noyes, Reynolds, Smith, Staggs, Stein, Terry, Thompson, Ward, and Vawter—21.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cullen, Cumback, English, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Oyler, Parrish, Reagan, Rice, Richmond, Sherrod, and Walcott—25.

So the amendment was not adopted.

On motion by Mr. Oyler, the joint resolution was read a third time.

The question then being, shall the Joint Resolution pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Terry, Thompson, Ward and Walcott—30.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Sherrod, Staggs, Stein and Vawter—14.

So the Joint Resolution passed.

Ordered, That the Secretary inform the House thereof.

ORDERS OF THE DAY.

BILLS ON SECOND READING.

Senate bill No. 12. A bill for the correction of mistakes in conveyances where a married woman is a party.

Was read a second time, and,

On motion by Mr. Bellamy, referred to the Committee on Judiciary.

Senate bill No. 13. A bill to authorize and provide changes of venue in civil actions, in certain cases.

Was read a second time, and,

On motion by Mr. Oyler, referred to the Committee on the Judiciary.

Senate bill No. 14. A bill to establish a Board of Immigration for the purpose of encouraging immigration to the State of Indiana from the Eastern States of the United States, and from Europe.

Was read a second time, and,

On motion by Mr. Noyes, referred to the Committee on Emigration.

Senate bill No. 15. A bill districting the State of Indiana for Senatorial and Representative purposes.

Was read a second time, and,

On motion by Mr. Oyler, referred to the Committee on Legislative Apportionment.

Senate bill No. 16. A bill defining a legal day, and prescribing the number of hours of labor in a day's work.

Was read a second time by its title, and,

On motion by Mr. Kinley, referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Senate bill No. 17. A bill to amend the title of an act entitled "An Act concerning licenses to vend foreign merchandise, to exhibit

any caravan, menagerie, circus, rope and wire dancing, puppet show, and legerdemain.”

Was read a second time by title, and referred to the Committee on the Judiciary.

Senate bill No. 18. A bill providing in what manner property shall be sold on execution or under process of any Court in this State.

Was read a second time by its title, and referred to the Committee on the Judiciary.

Senate bill No 19. A bill to provide for the revision and consolidation of the Statutes of the State of Indiana.

Was read a second time by its title, and referred to the Committee on the Judiciary.

Senate bill No. 20. A bill to amend an act entitled “An act prohibiting Supreme Circuit, or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs and their deputies, from practicing law in any of the Courts of this State, except as in this act permitted; and prescribing punishment for the violation thereof,” approved March 6, 1865.

Was Read a second time and referred to the Committee on the Judiciary.

Senate bill No. 22. A bill regulating the fees of Clerks, Justices of the Peace, and Notaries, in certain cases.

Was read a second time by title, and referred to the Committee on the Judiciary.

Senate bill No. 23. A bill to amend an act entitled “An act defining felonies, and prescribing punishment therefor.”

Was read a second time by title, and referred to the Committee on the Judiciary.

Bill No. 24. A bill to legalize acknowledgments of all deeds, mortgages, and other instruments required to be recorded, taken and certified by notaries public, who took and certified such acknowledgments after the expiration of their commissions or vacation of their appointments.

Was read a second time by its title, and referred to Committee on Judiciary.

Senate bill No. 25. A bill apportioning the State into Congressional Districts.

Was read a second time by its title, and referred to the Committee on Congressional Apportionment.

Mr. Cravens, Chairman of the Committee on Corporations, asked and obtained leave to make the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 21. A bill supplemental to an act approved March 5th, 1859, entitled "An act authorizing the purchasers of rail roads, plank roads, turnpike roads, macadamized roads, or parts thereof, under mortgaged sale or sales, made according to the terms of deeds of trust, to organize as incorporated companies, and prescribing their powers and duties," extending the time provided in said act for the organization of such district corporations by such purchasers, have had the same under consideration, and directed me to report the same back to the Senate, without amendment, and to recommend its passage.

Which report was concurred in.

By consent of the Senate, Senate bill No. 21, contained in the foregoing report, was taken up.

Mr. Vawter moved to suspend the order of business, consider the bill as engrossed, and read the bill a third time now.

Which was agreed to, and the bill was read a third time.

The question being shall the bill pass:

Those voting in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Brown, Cason, Carson, Church, Cravens, Cullen, Cumback, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson,

Kinley, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Sherrod, Smith, Staggs, Stein, Terry, Thompson, Ward, and Walcott—41.

No Senators voting in the negative.

So the bill passed,

Ordered, That the Secretary inform the House thereof.

A message from the House, by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following concurrent resolution, in which the concurrence of the Senate is respectfully requested:

Be it Resolved, the Senate concurring herein, That there be printed in pamphlet form, ten thousand copies of the Governor's Message; three thousand copies whereof shall be printed in the German language. That fifteen hundred copies of said Message shall be delivered to the Governor for his own use, and that one-third of the remainder, shall be delivered to the Doorkeeper of the Senate for the use of that body, and that the residue be delivered to the Doorkeeper of the House for the use of the members thereof.

On motion by Mr. Oyler, the resolution contained in the foregoing message was concurred in.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT:

I am directed to inform the Senate that the House has concurred in the following resolution of the Senate, to-wit:

CONCURRENT RESOLUTION.

Resolved, That a special Joint Committee of nine members, to consist of four Senators, to be appointed by the President of the Senate, and five Representatives, to be appointed by the Speaker of the

House, be appointed to take into consideration the subjects of the National Debt and the National Currency, and that they report their opinions relative to the policy of the National Government in relation to these matters.

And that the Speaker has appointed Messrs. Newcomb, Ross, Crain, Thacher, and Hopkins as such committee on the part of the House.

The President appointed Messrs. Walcott, Cravens, Niles, and Howk said committee on the part of the Senate.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am instructed to inform the Senate that the House has concurred in the following resolution of the Senate, to-wit :

CONCURRENT RESOLUTION.

Resolved, (The House of Representatives concurring,) That a Joint Committee be appointed, consisting of five Senators to be selected by the President of the Senate, and the same number from the House of Representatives, to be selected by the Speaker, on the same subject, of a House of Refuge for juvenile offenders, to whom be referred all documents, petitions, and memorials on that subject, and which committee shall be authorized to report by bill or otherwise.

And that the Speaker has appointed Messrs. Shuey, Crowe, Stewart, Shull, and Scammahorn as such committee on the part of the House.

The President appointed Messrs. Niles, Cumback, Rice, Hanna, and Sherrod said committee on the part of the Senate.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am instructed to inform the Senate that the House has concurred in the following resolution of the Senate, to-wit :

Resolved, That the President appoint a committee of three to act,

with a similar committee on the part of the House to inquire into the expediency of providing suitable rooms for the various State Officers and chambers for the members of the Supreme Court, and to ascertain if said offices and chambers may not be had in the same building.

And that the Speaker has appointed Messrs. Geisendorff, O'Neil, and Foulke as such committee on the part of the House.

The President appointed Messrs. Cravens, Noyes, and Mason said committee on the part of the Senate.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am instructed to inform the Senate that the House has passed the following resolution of the Senate, to-wit :

Resolved by the Senate, the House of Representatives concurring therein, That a Joint Committee, consisting of three members of the Senate and three of the House, be appointed to inquire into the propriety of ratifying by legislative enactment the appointment of John A. Wilstach as Commissioner for the encouragement of emigration to the State of Indiana, made on the 18th of January, 1866, by acting Governor Baker, and of providing an appropriation for the payment of the expenses incident to the duties of said appointment, said committee to report by bill or otherwise.

And that the Speaker has appointed Messrs. Brucker, Honneus, and Wolfer as such committee on the part of the House.

The President appointed Messrs. Stein, Kinley, and Newlin said committee on the part of the Senate.

On motion by Mr. Oyler, the Senate adjourned.

WEDNESDAY AFTERNOON, 2 O'CLOCK, }
January 16, 1867. }

The Senate met.

The Journal of yesterday was read.

REPORTS OF STANDING COMMITTEES.

Mr. Cason, Chairman of the Committee on Federal Relations, made the following report :

Mr. PRESIDENT :

The Committee on Federal relations, to whom was referred Senate Joint Resolution No. 1, introduced by Mr. Bennett, entitled "a Joint Resolution ratifying certain amendments to the Constitution of the United States," have had the same under consideration and have instructed me to report said resolution back without amendments, and recommend its passage.

Mr. English, from the Committee on Federal Relations, made the following minority report :

The minority of the Committee, to whom was referred the Joint Resolution ratifying the Amendments to the Constitution of the United States, cannot coincide with the views the majority have taken of the vital questions they involved.

They believe the temper of the public mind, is unsuited to the work of the expansion, or retrenchment, of the organic law of the government under existing circumstances.

The country has just emerged from the panic of revolution, and they believe the people have not yet had sufficient time for reflection—first, whether there is any present necessity for reformation—and second, whether under all the circumstances of the public situation, though there might be such necessity, wise and salutary measures could now be established.

They, therefore, recomend, that the whole question, may be left in the hands of the people for their action at another time, and under more auspicious circumstances.

WILSON SMITH,
ROBERT HUEY,
THOMAS G. LEE.

The question being, shall the report of the Committee be concurred in?

Mr. Bennett moved the previous question.

Which was seconded by the Senate.

By consent of the Senate, the main question was then ordered.

The question being, shall the report be concurred in?

The ayes and nays were demanded by Messrs. Hanna and Oyler.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Richmond, Stein, Terry, Thompson, Ward, and Walcott—29.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Mason, Newlin, Sherrod, Smith, Staggs, Taggart, Turner, and Vawter—18.

So the report was concurred in.

Mr. Bennett moved to suspend the rules, consider the joint resolution contained in the foregoing report as engrossed, and that it be read a third time now.

Which was agreed to, and the joint resolution read a third time.

The question being, shall the joint resolution pass?

The ayes and noes were demanded by Messrs. Hanna and Reagan.

Those who voted in the affirmative, were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Stein, Terry, Thompson, Walcott, and Ward—29.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Mason, Newlin, Sherrod, Smith, Staggs, Taggart, Turner, and Vawter—18.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

Mr. Niles, chairman of a select committee, asked and obtained leave to make the following report:

Mr. PRESIDENT:

The committee to whom was referred the subject of ventilation for the Senate Chamber, report:

That they recommend that spacious openings, for ventilation, be made into the chimneys on each side of the chamber, near the floor; into which registers shall be fitted; and that revolving ventilators, intended to increase the draft, be fitted to the tops of the chimneys.

The committee also recommend, that a window in the dome be so arranged that it can be opened and shut, by means of a cord and pulley.

Which report was concurred in.

By consent of the Senate,

Mr. Niles offered the following resolution, which was adopted:

Resolved, That the State Librarian cause the recommendations of the committee, on the proper ventilation of the Senate Chamber, to be carried into effect under the supervision of said committee.

A message from the House, by Mr. Nixon the Clerk thereof.

Mr. PRESIDENT :

I am directed by the Speaker of the House of Representatives to inform the Senate, that he has signed the enrolled copy of House Joint Resolution No. 4, entitled, "A Joint Resolution for suspending the sale of the Sinking Fund building in the city of Indianapolis, and for the appointment of a committee to examine the same, and report upon the propriety of its purchase by the State," and the signature of the President of the Senate is respectfully solicited to the same.

A message from the Governor by Mr. Holloway, his Private Secretary.

EXECUTIVE DEPARTMENT, }
Indianapolis, January 16, 1867. }

To the Senate of Indiana :

You are hereby informed that my Private Secretary, William R. Holloway, is authorized to make communications to your body in my behalf.

O. P. MORTON,
Governor of Indiana.

Mr. Vawter asked and obtained leave of absence for Mr. Hunt.

On motion by Mr. Cullen, the Senate adjourned.

THURSDAY AFTERNOON, 2 o'clock, }
January 17, 1867. }

The Senate met.

The Sournal of yesterday was read.

REPORTS FROM STANDING COMMITTEES.

Mr. Bennett, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 20, introduced by Mr. Oyler, and entitled "An act prohibiting Supreme, Circuit, and Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs, and their Deputies from practicing law in any of the Courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof, beg leave to report that they have had the same under consideration, and have ordered that it be reported back to the Senate and its passage recommended without amendment.

Mr. Stein, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 17, entitled "An act to amend the title of an act, entitled 'an act concerning licenses to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet-show, and legerdermain,'" approved June 15, 1852, has had the same under consideration, and report it to the Senate without amendments, with a recommendation that said bill pass.

Which was concurred in.

Mr. Rice, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee, to whom was referred Senate bill No. 9, "A bill to amend section 13 of an act providing for the elections and qualifications of Justices of the Peace, and defining their jurisdiction and powers and duties in civil cases," would report that they have had the same under consideration, and recommend its passage without amendment.

Which report was concurred in.

Mr. Walcott, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

The Finance Committee, to whom was referred Senate bill No. 26, "A bill appropriating seventy-five thousand dollars to defray the expenses of the Forty-Fifth Session of the General Assembly," have had the same under consideration, and they have directed me to report the following amendments, and, with such amendments, recommend the passage of the bill.

Sec. 2. That it shall be the duty of the Auditor of State to audit the accounts and issue his warrant upon the Treasurer of State for the per diem and mileage of Senators and Representatives as allowed by law; and also such allowance as may be provided by either House or Senate by resolution, upon the certificate, in case of Senators, of the President of the Senate, and in the case of Representatives, upon the certificate of the Speaker of the House, setting forth the time served and the amount of mileage and allowances to which such Senator or Representative may be entitled.

Sec. 3. That it shall be the duty of said Auditor to audit the accounts and issue his warrant upon the Treasurer of State for the per diem of the officers of the Senate and House of Representatives and their assistants and appointees, including Clerks and other assistants to committees, upon the certificate of the President of the Senate, when elected or employed by the Senate, and upon the certificate of the Speaker of the House of Representatives, when elected or

employed, or appointed by the House: *Provided*, That such officers and assistants and appointees, except the pages, shall be allowed the sum of five dollars per day each: *And provided further*, That the pages be allowed the sum of three dollars per day each.

The report and the amendments therein contained were concurred in.

Mr. Cullen moved to suspend the rules and read the bill contained in the foregoing report a second time now.

Which was agreed to, and the bill was read a second time.

Mr. Cullen moved to suspend the rules, consider the bill as engrossed, and that it be read a third time now.

The ayes and nays being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Church, Cravens, Cullen, Cumback, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Sherrod, Stein, Taggart, Terry, Thompson, Turner, Ward and Walcott—43.

Mr. Staggs voting in the negative.

So the rules were suspended, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Church, Cravens, Cullen, Cumback, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner Ward and Walcott—45.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 22, a bill regulating the fees of Clerks, Justices of the Peace, and Notaries, in certain cases, report that they recommend that said bill be amended by striking out the word "their" in line "7," inserting in lieu thereof the words "or the." Also, by inserting in line "3," the word "the" instead of "their," and by inserting in line "8," after the word "representatives" the words "of a discharged or diseased soldier or seaman," and when so amended the Committee recommend the passage of said bill.

The report and the amendments therein contained were concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 24, entitled "a bill to legalize the acknowledgments of all deeds, mortgages, and other instruments, required to be recorded, taken and certified by notaries public who took and certified such acknowledgments after their commissions had expired, and their appointments had been vacated by accepting and holding a lucrative office," have had the same under consideration, and now report it to the Senate without amendment, with a recommendation that said bill pass.

Which report was concurred in.

Mr. Noyes, asked and obtained leave of absence for Mr. Reynolds.

REPORTS FROM SELECT COMMITTEES.

Mr. Bennett, chairman of a select committee, made the following report :

Mr. PRESIDENT :

The select committee appointed to superintend the appointment of assistants to the officers of the Senate, beg leave to report, that the President of the Senate has appointed Joseph B. Chandler as Secretary, to keep the accounts of Senators, and officers and employes of the Senate, and prepare warrants therefor; and that he has also appointed Kinnard Hamilton, as Page to the President of the Senate. Which said appointments are approved by the committee, and their confirmation recommended to the Senate.

Which report was concurred in.

RESOLUTIONS.

Mr. Bennett offered the following resolution, which was adopted :

Resolved, That when the Senate adjourns, it adjourn to meet on to-morrow morning at 9 o'clock.

On motion by Mr. Cullen, the order of business was suspended, and the following message from the House taken up :

Mr. PRESIDENT :

I am directed to inform the Senate, that the House has passed the following concurrent resolution, to-wit :

Resolved by the House of Representatives, the Senate concurring, That the two Houses of this General Assembly meet in Joint Convention, in the Hall of the House of Representatives, on to-morrow, Friday, January 18, 1867, at ten o'clock A. M., for the purpose of electing the following officers, to-wit : Agent of State ; State Printer ; State Librarian ; Trustee of the Wabash and Erie Canal ; two Directors of the State Prison, South ; three Directors of the State Prison, North ; one Trustee for the Institute for the Education of the Blind ; one Trustee for the Hospital for the Insane ; and one Trustee for the Institution for the Education of the Deaf and Dumb.

In which the concurrence of the Senate is respectfully requested.

The resolution contained in the foregoing message was concurred in.

Ordered, That the Secretary inform the House thereof.

Mr. Stein offered the following concurrent resolution :

Resolved by the Senate and House of Representatives of the State of Indiana, That the Auditor of State be, and he is hereby authorized and directed to audit and pay out of any monies in the treasury, not otherwise appropriated, any and all claims which may be presented by any of the sheriffs of the State, for services and mileage, in conveying convicts from their several counties to either of the State Prisons, according to law.

Which, on motion by Mr. Oyler, was referred to the Committee on Finance.

JOINT RESOLUTIONS.

Mr. Richmond introduced

Joint Resolution No. 3. A Joint Resolution declaring that, in the opinion of the General Assembly, the State of Indiana was, at the time of the arrest of the conspirators, Dodd, Milligan, Bowles, and Horsey, in a state of war, the decision of the Supreme Court of the United States to the contrary, notwithstanding.

Which was read a first time and passed to a second reading on to-morrow.

BILLS INTRODUCED.

Mr. Carson introduced

Senate Bill No. 37. "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Hyatt introduced

Senate bill No. 38. An act to amend section 20 of an act entitled "An act to amend an act entitled an act providing for the election or appointment of supervisors of highways, and prescribing certain of

their duties, and those of county and township officers in relation thereto," approved January 20, 1865.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Richmond introduced

Senate Bill No. 39. A bill creating the Fourteenth Judicial Circuit, and fixing the times of holding courts therein.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Richmond introduced

Senate bill No. 40. A bill defining what counties shall constitute the 13th Judicial Circuit.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Church introduced

Senate bill No 41. A bill to authorize cities, towns, and townships, to subscribe for, purchase and hold stock of Turnpike, Plank Road, and Railroad Companies; to issue and negotiate bonds, and provide a sinking fund, and to levy a tax to pay interest and to create a sinking fund, and providing when the act shall take effect and be in force.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bonham introduced

Senate bill No. 42. A bill defining what counties shall constitute the 7th Judicial Circuit, and fixing the time of holding the courts therein.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Parrish introduced

Senate Bill No. 43. A bill to amend section fifteen of an act entitled "an act to provide for the opening, vacating and change of highways," approved June 17, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Oyler introduced

Senate Bill No. 44. A bill to amend an act entitled "an act to prevent emigration from any other State into this State, or from one county or township in this State into another county or township in this State, for the purpose of influencing or carrying the election in such other county or township, and prescribing penalties against persons aiding, abetting, counseling, or engaging therein.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Thompson introduced

Senate Bill No. 45. An act to provide for the erection and maintenance of houses of refuge or schools of reform by counties and incorporated cities, and for the confinement and detention therein of prostitutes and females given to habitual intoxication, and also of minors convicted of felonies and misdemeanors.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Walcott introduced

Senate Bill No. 46. A bill to regulate and license the sale of spiritous, vinous, malt, and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Richmond introduced

Senate Bill No. 47. A bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Oyler introduced

Senate Bill No. 48. A bill to amend an act entitled "an act for

the punishment of officers of elections for the refusing, or neglecting to receive the votes of legal voters.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cullen introduced

Senate Bill No. 49. An act requiring the clerks of the Circuit and Common Pleas Courts of the State to index the records in their offices, and providing the compensation therefor.

Which was read a first time, and passed to a second reading on to-morrow.

By consent of the Senate the order of business was suspended, and

Mr. Brown presented a petition from Dr. E. Williamson, asking an allowance for services as Post Surgeon.

Which, on motion by Mr. Brown, was referred to the Committee on Claims.

Mr. Richmond presented a petition from Martin Igoe, asking an allowance for certain sums paid O. B. Stout & Co.

Which was referred to the Committee on Claims.

JOINT RESOLUTIONS.

Senate Joint Resolution No. 2. A joint resolution in relation to a ship canal connecting Lake Erie and Lake Ontario.

Was read a second time by its title, and referred to the Committee on Federal Relations.

ORDERS OF THE DAY.

BILLS ON SECOND READING.

Senate Bill No. 27. A bill to divide the State into Congressional Districts.

Was read a second time by its title, and referred to the Committee on Congressional Apportionment.

Senate bill No. 28. A bill to amend section 18 of an act entitled "An act prescribing the powers and duties of Justices of the peace, in State prosecutions."

Was read a second time, by its title, and referred to the Committee on the Judiciary.

Senate Bill No. 29. A bill to define who are competent witnesses in this State.

Was read a second time, by its title, and referred to the Committee on the Judiciary.

Senate bill No. 30. A bill to provide for the protection of fish, defining the time in which they may be trapped or netted, affixing the penalty for the violation of the act, and declaring an emergency.

Was read a second time, by its title.

Mr. Reagan offered the following amendment :

Amend the title by striking out the words "may be," after the word "which," and insert instead the words "shall not be," so that the title will read "A bill to provide for the protection of fish, defining the time in which they shall not be trapped or netted, affixing a penalty for the violation of the act, and declaring an emergency."

Pending the amendment,

Mr. Cravens moved to instruct the Committee to inquire into the expediency of so amending the bill, as to prohibit the netting and trapping of fish, in any of the streams of this State for five years, and to prohibit the taking of fish from any of said streams at any time, between the 15th of May, and the 1st of July.

On motion by Mr. Reagan, the bill pending amendments, and instructions, were referred to the Committee, on the Rights and Privileges of the Inhabitants of the State.

Senate Bill No. 31. A bill to amend section one hundred and seventeen, (117,) and repeal section one hundred and sixteen, (116,) of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms, in criminal actions in courts of this State, approved June 17, 1852.

Was read a second time by its title, and referred to the Committee on the Judiciary.

Senate bill No. 32. A bill to provide for issuing *capias ad satisfaciendum* when, in action for replevin of personal property, defendant shall fraudulently conceal, remove, transfer, withhold or refuse to deliver said property, and providing the manner of proceedings to obtain said writ in certain cases therein specified.

Was read a second time by its title, and referred to the Committee on the Judiciary.

Senate bill No. 33. A bill to amend sections 10, 13, 14, 15, 16, 17 and 18, of an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.

Was read a second time by its title, and referred to the Committee on the Judiciary.

Senate bill No. 34. A bill to amend section three of an act entitled "an act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the Judges thereof, approved May 14th, 1852," and creating a new district, and providing for the appointment of a judge therein.

Was read a second time by its title, and referred to the Committee on the Organization of Courts.

Senate bill No. 35. A bill to amend sections nineteen and twenty of an act entitled "an act defining felonies and prescribing punishment therefor, approved June 10th, 1852," defining the offenses of grand and petit larceny, and prescribing the punishment therefor.

Was read a second time by its title, and referred to the Committee on the Judiciary.

Senate bill No. 36. A bill to amend "an act to provide for the appointment of a Sheriff of the Supreme Court, and prescribing certain of his duties and fees, approved May 13, 1852."

Was read a second time, and,

On motion by Mr. Oyler, was referred to the Committee on Organization of Courts.

On motion by Mr. Cravens, the Senate adjourned.

FRIDAY MORNING, 9 o'CLOCK, }
January 18, 1867. }

The Senate met.

On motion by Mr. Cravens, the reading of the journal was dispensed with.

On motion by Mr. Cravens, it was ordered that the House be requested to return Senate Joint Resolution No. 1. "A joint resolution ratifying certain proposed amendments to the Constitution of the United States."

REPORTS OF STANDING COMMITTEES.

Mr. Oyler, from the Committee on the State Library, made the following report:

MR. PRESIDENT:

The Committee on the State Library, to whom was referred Senate bill No. 5, an act to amend an act entitled an act to amend an act entitled "An act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian and Clerk, approved March 4, 1859, and also increasing the power and duties of the State Librarian," approved December 20, 1865, beg leave to report that they have examined the same; that the proposed amendment to the existing law is necessary to supply an omission therein; they therefore report the bill back without amendment, and recommend its passage.

Which report was concurred in.

Mr. Cumback offered the following resolution, which was adopted:

Resolved, That the Committee on Education be authorized to employ a Clerk for the session, at a compensation not to exceed four dollars (\$4.00) per day.

BILLS INTRODUCED.

Mr. Cumback introduced

Senate bill No. 50. A bill to amend section 12 of "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein," approved March 6, 1865.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Walcott introduced

Senate bill No. 51. A bill to regulate the responsibility of Inn-keepers.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bellamy introduced

Senate bill No. 52. A bill to repeal an act entitled "An act to amend section thirty-five of an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed," approved March 6, 1865, approved December 20, 1865.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cumback moved to suspend the order of business for the purpose of referring Senate bills Nos. 50, 51, and 52 to the appropriate committees.

Which was agreed to, and

Senate bill No. 50. A bill to amend section 12 of "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein," approved March 6, 1865.

ted therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,"

Was read a second time by its title, and,

On motion by Mr. Cumback, referred to the Committee on Education.

Senate bill No. 51. A bill to regulate the responsibility of innkeepers.

Was read a second time by its title, and referred to the Committee on the Judiciary.

Senate bill No. 52. A bill to repeal an act entitled "an act to amend section thirty-five (35) of an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6th, 1865," approved Dec. 20th, 1865.

Was read a second time by its title, and referred to the Committee on Education.

ORDERS OF THE DAY.

BILLS ON SECOND READING.

Senate bill No. 41. A bill to authorize cities, towns and townships, to subscribe for, purchase and hold, stock of turnpike, plank road and rail road companies, to issue and negotiate bonds, and provide a sinking fund; and to levy a tax to pay interest, and to create a sinking fund; and providing when the act shall take effect and be in force.

Was read a second time by its title, and,

On motion by Mr. Church, referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Senate bill No. 37. A bill to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of

cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.

Was read a second time by its title, and referred to the Committee on Corporations.

Senate bill No. 38. A bill to amend section 20 of an act entitled an act to amend an act entitled "an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto, approved January 20th, 1865."

Was read a second time by its title, and referred to the Committee on Roads.

Senate bill No. 39. A bill creating the Fourteenth Judicial Circuit and fixing the times of holding courts therein.

Was read a second time by its title, and referred to the Committee on the Organization of Courts.

Senate bill No. 40. A bill defining what counties shall constitute the Thirteenth (13th) Judicial Circuit, and fixing the times of holding courts therein.

Was read a second time by its title, and referred to the Committee on the Organization of Courts.

Senate bill No. 46. A bill to regulate the sale of spirituous vinous, malt, and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties, for violations thereof.

Was read a second time, by its title, and referred to the Committee on Temperance.

Senate bill No. 49. A bill requiring the Clerks of the Circuit and Common Pleas Courts of this State, to index the records in their offices, and providing the compensation therefor.

Was read a second time, by its title, and referred to the Committee on the Judiciary.

Senate bill No. 9. A bill to amend section thirteen (13) of an act entitled "An act providing for the Election and qualification of Justices of the Peace, and defining their jurisdiction, powers, and duties in civil cases, approved June 9, 1852," approved March 9, 1861.

Was read a second time, ordered to be engrossed, and read a third time on to-morrow.

On motion by Mr. Oyler, the order of business was suspended, and the following message from the House was taken up :

A message from the House by Mr. Nixon, the Clerk, thereof.

MR. PRESIDENT :

I am instructed to return to the Senate, Senate Joint Resolution No. 1.

Mr. Bennett moved to reconsider the vote by which Senate Joint Resolution No. 1, "a Joint Resolution ratifying certain amendments to the Constitution of the United States," had passed.

Which was agreed to.

Mr. Bennett offered the following amendment :

Be it resolved by the General Assembly of the State of Indiana, That said proposed Amendments to the Constitution of the United States, are hereby accepted and ratified on the part of the State of Indiana.

And be it further resolved, That the Governor be authorized, and requested to forward an authenticated copy of this Joint Resolution to the Secretary of State of the United State.

Mr. Cullen moved to recommit the Joint Resolution and pending amendment to the Committee on Federal Relations.

Which was not agreed to.

The question being, shall the amendment be adopted ?

Mr. Rice moved to refer the joint resolution and pending amendment to a select committee.

Which was agreed to.

And the President appointed Messrs. Rice, Oyler, and Bennett, said select committee.

Mr. Cravens gave notice that he would offer the following additional rule for adoption by the Senate :

Rule No. —. All bills or joint resolutions, on their first reading, if not rejected, may be referred to standing or select committees.

Which was laid over one day under a rule of the Senate.

Senate Bill No. 17. A bill to amend the title of an act entitled "An act concerning licenses to vend foreign merchandise ; to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet shows and legerdemain."

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 24. A bill to legalize acknowledgments of all deeds, mortgages, and other instruments required to be recorded, taken and certified by Notaries Public, who took and certified such acknowledgments after the expiration of their commission or vacation of their appointments.

Was read a second time, ordered to be engrossed, and passed to a third reading on to-morrow.

Senate bill No. 20. A bill to amend an act entitled "An act prohibiting Supreme, Circuit, or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs, and their deputies, from practising law in any of courts of the State, except as in this act permitted, and prescribing punishment for the violation thereof."

Was read a second time, ordered to be engrossed, and passed to its third reading on to-morrow.

Mr. Bennett, Chairman of a Select Committee, made the following report :

MR. PRESIDENT :

The Select Committee to whom was referred Senate Joint Resolution No. 1, entitled a "Joint Resolution ratifying certain proposed

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amendments to the Constitution of the United States," beg leave to report that they have had the same under consideration, and have carefully compared the same with the original copy of the proposed amendments, and find it to be correct. The committee report the same back to the Senate, with the following amendments to wit: add the following resolutions to the engrossed joint resolution to wit: therefore,

Be it resolved by the General Assembly of the State of Indiana, That said proposed amendments to the Constitution of the United States are hereby accepted and ratified on the part of the State of Indiana.

And be it further resolved, That the Governor be authorized and requested to forward an authenticated copy of this joint resolution to the Secretary of State of the United States.

And when so amended they recommend its passage.

Which report was concurred in.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward and Walcott—30.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hunt, Lee, Mason, Smith, Staggs, Taggart and Turner—16.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

On motion, by Mr. Cullen, the following message from the House was taken up:

A message from the House, by Mr. Nixon, Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House is now in waiting, and ready to meet the Senate in joint Convention in the hall of the House for the purpose of electing certain officers named in the concurrent resolution of the two houses on yesterday; and that seats have been prepared for the Senators on the right hand of the Speaker's chair.

The invitation contained in the foregoing message was accepted, and the Senate thereupon repaired to the hall of the House of Representatives.

The Hon. Conrad Baker, President of the Senate, took the chair, and called the Joint Convention to order.

Mr. Newcomb, of the House, moved that the Joint Convention at once proceed to the election of officers, for the election of whom the Joint Convention is convened, and that the election proceed in the order named in the concurrent resolution of yesterday.

Which was agreed to.

The Convention then proceeded to the election of Agent of State.

Mr. Cumback, of the Senate, nominated Gen. Walter Q. Gresham for the office of Agent of State.

Mr. Hanna, of the Senate, nominated Gen. M. D. Manson for that office.

Those who voted for Mr. Gresham were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Stein, Terry, Thompson, Ward, and Walcott, of the Senate—29.

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins,

Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker of the House—60.

Total number of votes for Walter Q. Gresham—89.

Those who voted for M. D. Manson were

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hunt, Lee, Mason, Smith, Staggs, Taggart, and Turner, of the Senate—16.

Messrs. Baker, Barritt, Bird, Black, Bobo, Carter, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Kiser, Long of Jackson, Lopp, Matthis, McFadin, Montgomery, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe of the House—36.

Total number of votes for M. D. Manson—52.

Mr. Walter Q. Gresham, having received the majority of all the votes cast, was declared duly elected Agent of State for the term of two years.

The Joint Convention then proceeded to the election of State Printer.

Mr. Newcomb, of the House of Representatives, nominated A. H. Conner for that office.

Mr. Mason, of the Senate, nominated Lafe Develin for that office.

Those who voted for A. H. Conner were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Terry, Thompson, Ward, and Walcott, of the Senate—28.

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long, of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shook, Shuey, Skidmore, Smith, of Lagrange, Smith, of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolfen, Woods, Wright, and Mr. Speaker, of the House—60.

Total number of votes received by A. H. Conner—88.

Those who voted for Mr. Develin were.

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hunt, Lee, Mason, Smith, Staggs, Taggart, and Turner, of the Senate—16.

Messrs. Baker, Barritt, Bird, Bobo, Carter, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Kiser, Long, of Jackson, Lopp, Matthis, McFaden, Montgomery, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe, of the House—35.

Total number of votes received by Lafe Develin—51.

A. H. Conner having received a majority of all the votes cast was declared duly elected State Printer for the legal term of that office.

The Joint Convention then proceeded to the election of State Librarian.

Mr. Milligan, of the Senate, nominated B. F. Foster for that office.

Mr. Tebbs, of the House, nominated R. A. Leonard for that office.

Those who voted for B. F. Foster were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan,

Rice, Richmond, Stein, Terry, Thompson, Ward, and Walcott, of the Senate—29.

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long, of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shook, Shuey, Skidmore, Smith, of Lagrange, Smith, of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin Woods, Wright, and Mr. Speaker, of the House—60.

Total number of votes for B. F. Foster—89.

Those who voted for R. A. Leonard, were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hunt, Lee, Mason, Smith, Staggs, Taggart, and Turner, of the Senate—16.

Messrs. Baker, Barritt, Bird, Black, Bobo, Carter, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Kiser, Long, of Jackson, Lopp, Matthis, McFadin, Montgomery, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe, of the House—35.

Total number of votes for R. A. Leonard—51.

B. F. Foster having received a majority of all the votes cast was declared duly elected State Librarian for the legal term of that office.

The Joint Convention then proceeded to the election of a Trustee of the Wabash and Erie Canal.

Mr. Evans, of the House, nominated General Robert H. Milroy, for that office.

Mr. Thacher, of the House, nominated Samuel H. Buskirk, for that office.

Those who voted for Robert H. Milroy were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Stein, Terry, Thompson, Ward, and Walcott, of the Senate—29.

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolfli, Woods, Wright, and Mr. Speaker, of the House—60.

Total number of votes for Mr. Milroy—89.

Those who voted for Samuel H. Buskirk were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hunt, Lee, Mason, Newlin, Smith, Staggs, Taggart, and Turner, of the Senate—17.

Messrs. Baker, Barritt, Bird, Black, Bobo, Carter, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Kiser, Long of Jackson, Lopp, Matthis, McFadin, Montgomery, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe, of the House—36.

Total number of votes for Samuel H. Buskirk—53.

Robert H. Milroy, having received a majority of all the votes cast, was declared duly elected Canal Trustee for the legal term of that office.

The election of two Directors to the State Prison, South, being in order.

Mr. Cullen, of the Senate, moved that in the election of Directors for the Prisons, the Convention vote for the whole number to be elected at the same time.

Which was agreed to.

The Joint Convention then proceeded to the election of two Directors for the State Prison, South.

Messrs. F. M. Merideth, and N. B. Ghee, were put in nomination for that office.

Messrs. Levi Sparks, and George D. Green, were also put in nomination for that office.

Those who voted for Messrs. F. M. Meredith, and N. B. Ghee, were.

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Stein, Terry, Thompson, Ward, and Walcott, of the Senate—29.

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker of the House—60.

Whole number of votes received by F. M. Meredith, and N. B. Ghee was—89.

Those who voted for Levi Sparks and George D. Green were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hunt, Lee, Mason, Newlin, Smith, Staggs, Taggart and Turner, of the Senate—17.

Messrs. Baker, Barritt, Bird, Black, Bobo, Carter, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Kiser, Long, of Jackson, Lopp, Matthis, McFadin, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White and Wolfe, of the House—35.

Whole number of votes received by Levi Sparks and George D. Green were 52.

F. M. Merideth and N. B. Ghee having each received a majority of all the votes cast, the President declared them each duly elected to the office of Directors of the State Prison South.

The Joint Convention then proceeded to the election of three Directors for the State Prison North.

Messrs. James N. Tyner, Williamson D. Corothers, and A. D. Hamrick, were each put in nomination for that office.

Messrs. R. A. Curren, J. D. McDonald, and Captain Brophy were also each put in nomination for that office.

Those who voted for James N. Tyner, Williamson D. Corothers, and A. D. Hamrick were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Stein, Terry, Thompson, Ward and Walcott, of the Senate—29.

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long, of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peele, Prather, Ratliff, Rosser, Sabin, Shook, Shuey, Skidmore, Smith, of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolfli, Woods, Wright and Mr. Speaker, of the House—60.

Those who voted for R. A. Curren, J. D. McDonald, and Capt. Brophy, were

Messrs. Barker, Bowman, Carson, Gifford, Hanna, Huey, Huffman, Humphreys, Hunt, Lee, Mason, Newlin, Smith, Staggs, Taggart and Turner, of the Senate—16.

Messrs. Baker, Barritt, Bird, Black, Bobo, Carter, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Kiser, Long, of Jackson, Lopp, Matthis, McFadin, Montgomery, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White and Wolfe, of the House—36.

The total number of votes given for James N. Tyner, Williamson D. Corothers, and A. D. Hamrick, was 89.

The total number of votes given for R. A. Curren, J. D. McDonald, and Capt. Brophy, was 52.

James N. Tyner, W. D. Corothers, and A. D. Hamrick, having each received a majority of all the votes cast, were declared duly elected Directors of the Northern Indiana State Prison.

On motion by Mr. Newcomb, of the House, the Joint Convention adjourned.

The Senate returned to its chamber.

Mr. Cravens offered the following resolution, which was adopted:

Resolved, That the Senate do now proceed to the election of three Trustees for the Benevolent Institutes of the State—one each for the Insane, the Deaf and Dumb, and the Blind Asylums.

Nominations for Trustee of the Institute for the Blind being in order,

Mr. Cumback nominated John S. Spann for that office.

Mr. Smith nominated L. D. Dale for that office.

Those who voted for John S. Spann were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Stein, Terry, Thompson, Ward, and Walcott—29.

Those who voted for L. T. Dale were,

Messrs. Barker, Bowman, Carson, Gifford, Hanna, Huey, Huffman, Humphreys, Hunt, Lee, Newlin, Smith, Staggs, Taggart, and Turner—15.

So the President declared that John S. Spann had received a majority of all the votes given by the Senate for Trustee for the Blind Asylum, and it was

Ordered, That the Secretary inform the House thereof.

Nominations for Trustee of the Deaf and Dumb Institute being in order,

Mr. Cullen nominated James C. Burt for that office.

Mr. Smith nominated T. Harden for that office.

Those who voted for James C. Burt were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Stein, Terry, Thompson, Ward, and Walcott—28.

Those who voted for T. Harden were,

Messrs. Barker, Bowman, Carson, Gifford, Hanna, Huey, Huffman, Humphreys, Hunt, Lee, Newlin, Smith, Staggs, Taggart, and Turner—15.

So the President declared that James C. Burt had received a majority of all the votes given by the Senate for the office of Trustee for the Institute for the Deaf and Dumb.

Ordered, That the Secretary inform the House thereof.

Nominations for Trustee for the Insane Asylum being in order,

Mr. Cumback nominated John W. Moody for that office.

Mr. Hanna nominated F. B. Palmer for that office.

Those who voted for John W. Moody were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Stein, Terry, Thompson, Ward, and Walcott—28.

Those who voted for F. B. Palmer were

Messrs. Barker, Bowman, Carson, Gifford, Hanna, Huey, Huffman, Humphreys, Hunt, Lee, Newlin, Smith, Staggs, Taggart, and Turner—15.

So the President declared that John W. Moody had received a majority of all the votes cast by the Senate for the office of Trustee for the Asylum for the Insane.

Ordered, That the Secretary inform the House thereof.

The following message from the House was taken up:

A message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit:

Engrossed House Bill No. 42. A bill to prevent the breaking of a quorum in the General Assembly, and prescribing punishment therefor.

And House Bill No. 42, therein contained, was read a first time, and passed to a second reading on to-morrow.

By consent of the Senate, Mr. Milligan offered the following resolution:

Resolved, That the President appoint a committee of five to investigate charges, if any, against the officers of the Benevolent Institutions.

Mr. Cumback moved to lay the resolution upon the table.

The ayes and noes being demanded by Messrs. Hanna and Gifford,

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Church, Cullen, Cumback, Hyatt, Jaquess, Kinley, Lewis, Noyes, Oyler, Parrish, Reagan, Richmond, Terry, Thompson, and Walcott—19.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Carson, Cravens, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hunt, Johnson, Lee, Mason, Milligan, Newlin, Rice, Smith, Staggs, Stein, Taggart, Turner, and Ward—24.

So the motion to lay the resolution on the table did not prevail.

On motion by Mr. Cravens, the resolution was referred to the Committee on Benevolent Institutions.

On motion by Mr. Cravens, the Senate adjourned.

TWO O'CLOCK P. M.

The Senate met.

On motion by Mr. Oyler, the following message from the House was taken up:

A message from the House by Mr. Nixon, the Clerk thereof:

Mr. PRESIDENT:

I am directed to inform the Senate, that the House has passed the following engrossed bill thereof, to-wit:

Engrossed House bill No. 3. A bill to fix the times of holding the Courts of Common Pleas in the Eighth Judicial District in the State

of Indiana, and repealing former laws on the subject, and declaring an emergency.

And House bill No. 3, therein contained, was read a first time.

Mr. Oyler moved to suspend the rules, and read the bill a second time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Church, Cravens, Cullen, Cumback, English, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Kinley, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Rice, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, and Walcott—38.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a second time.

Mr. Mason moved to suspend the rules, and read the bill a third time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Church, Cravens, Cullen, Cumback, English, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Rice, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, and Walcott—41.

No Senator voting in the negative.

So the rules were suspended, and the bill read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Church, Cravens, Cullen, Cumback, English, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Rice, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, and Walcott—40.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT:

I am directed to inform the Senate that the House has passed the following resolution, in which the concurrence of the Senate is respectfully requested.

Be it resolved by the House of Representatives (the Senate concurring), That the two Houses of this General Assembly will, at three o'clock, P. M., of this day proceed, by a concurrent vote in the separate Houses, to elect one Commissioner for the Hospital of the Insane, one Trustee for the Asylum for the Blind, and one Trustee for the Institution for the Education of the Deaf and Dumb, each for the term of four years from the second day of April next.

And that the House has concurred in the joint resolution of the Senate, calling for a joint committee of the two Houses to take into consideration the reorganization of the Courts of Justice of the State.

And that the Speaker has appointed Messrs. Woods, Ross, and Griggs as such committee on the part of the House.

The President appointed Messrs. Oyler, Stein, and Howk said committee on the part of the Senate.

ORDERS OF THE DAY.

Senate Joint Resolution No. 3. A joint resolution declaring that in the opinion of the General Assembly the State of Indiana was, at the time of the arrest of the conspirators Dodd, Milligan, Bowles and Horsey, in a State of war, the decision of the Supreme Court of the United States to the contrary, notwithstanding.

Was read a second time, by its title.

Mr. Bonham moved to refer the joint resolution to the Committee on Military Affairs.

Mr. Hanna moved to lay the motion on the table.

The ayes and nays were demanded by Messrs. Hanna and Bonham.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bowman, Carson, Cravens, Cullen, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hunt, Johnson, Lee, Mason, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Smith, Staggs, Taggart, Turner and Walcott—28.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Church, Cumback, Houghton, Hyatt, Jaquess, Kinley, Milligan, Rice, Stein, Terry, Thompson and Ward—16.

So the motion was laid on the table.

On motion, by Mr. Hanna, the joint resolution was referred to the Committee on the Judiciary.

Senate bill No. 42. A bill defining what counties shall constitute the Seventh Judicial Circuit, and fixing the time of holding the Courts therein.

Was read a second time, by its title, and,

On motion by Mr. Bonham, referred to the Committee on the Organization of Courts.

Senate bill No. 43. A bill to amend section fifteen of an act entitled "An act to provide for the vacating and change of highways," approved June 17, 1852.

Was read a second time, by its title, and,

On motion by Mr. Parrish, referred to the Committee on the Judiciary.

Senate bill No. 44. A bill to amend an act entitled "An act to prevent emigration from any other State into this State, or from one county or township in this State, into another county or township in this State, for the purpose of influencing, or carrying the Election in such other county or township, and prescribing penalties against persons aiding, abetting, counselling, or engaging therein."

Was read a second time by its title, and,

On motion by Mr. Oyler, referred to the Committee on the Judiciary.

Senate bill No. 45. A bill to provide for the erection, and maintenance of Houses of Refuge, or Schools of Reform, by counties and incorporated cities, and for the confinement, and detention therein, of prostitutes and females given to habitual intoxication, and also of minors convicted of felonies, and misdemeanors.

Was read a second time by its title, and,

On motion by Mr. Thompson, referred to the Joint Committee on the House of Refuge.

Senate bill No. 47. A bill authorizing Boards of County Commissions, to make appropriations in aid of the construction of Manufacturing Establishments, or Machine Shops.

Was read a second time by its title, and referred to the Committee on County and Township Business.

Senate bill No. 48. A bill to amend an act entitled "An act for the punishment of officers of Elections for the refusing, or neglecting to receive the votes of legal voters.

Was read a second time by its title, and,

On motion by Mr. Oyler, referred to the Committee on the Judiciary.

By consent of the Senate, Mr. Mason offered the following resolution, which was adopted :

Resolved, That the Librarian be authorized to purchase a table suitable for enrolling bills of the Senate; for the use of the Principal Secretary's Department.

Mr. Cravens offered the following resolution :

Resolved, That when the Senate adjourns, it adjourn to meet on Monday next, at 2 o'clock P. M.

Which was agreed to.

Mr. Reagan offered the following resolution :

Resolved, That the President of the Senate be authorized to appoint a special committee of three, whose duty it shall be to determine the amount of mileage, which may be due each member of the Senate, and report the same to the Senate.

Which was agreed to.

The President appointed Messrs. Reagan, Terry, and Newlin, said Committee.

Mr. Turner asked, and obtained leave of absence for Mr. Smith.

On motion by Mr. Stein, the Senate adjourned.

MONDAY AFTERNOON, 2 O'CLOCK, }
January 21, 1867. }

The Senate met.

The Journal of Friday was read.

Mr. Cullen moved to reconsider the vote by which the Senate, on Friday last, proceeded to the election of a Commissioner for the Hospital for the Insane, a Trustee for the Asylum for the Blind, and a Trustee for the Institution for the Education of the Deaf and Dumb; and, also, to reconsider the entire action of the Senate on that subject, had on that day.

Which was agreed to.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Oyler presented a petition from sundry citizens of the State of Indiana, on the subject of the traffic in intoxicating liquors.

Which was referred to the Committee on Temperance.

Mr. Richmond offered the following resolution :

Resolved, That the various presses of this city, whose papers are taken by the Senate, be requested by the doorkeeper of the Senate to stamp the name of the paper contained therein upon the envelope.

Which was adopted.

BILLS INTRODUCED.

Mr. Carson introduced

Senate Bill No. 53. A bill to amend the first section of an act entitled an act to amend the first section of an act to amend an act entitled an act to amend the sixth section of an act providing for the organization of county boards, and prescribing some of their powers and duties, which first above mentioned act was approved.

June 17, 1852; that said second mentioned act was approved February 16, 1859; which latter act, last above mentioned, was approved March 9, 1861, and which act hereby amended was approved March 7, 1863.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Richmond introduced

Senate Bill No. 54. A bill authorizing the assessment of all the lands within one and one-half miles on either side or within one and one-half miles of the terminus of any plank, macadamized, or gravel road, organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled an act authorizing the construction of plank, macadamized and gravel roads (approved May 12, 1852,) when the subscription to such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same, and the collection of such assessment, provided the lands are situated within the county in which such road is located.

Which was read a first time, and passed to a second reading, on to-morrow.

By consent of the Senate the order of business was suspended, and

Mr. Cullen offered the following concurrent resolution :

Be it Resolved by the Senate, the House concurring, That the two houses of the General Assembly will, at 3 o'clock, P. M., to-morrow, January 22, proceed, by a concurrent vote in the separate Houses, to elect one Commissioner for the Hospital for the Insane, one Trustee for the Asylum for the Blind, and one Trustee for the Institution for the education of the Deaf and Dumb, each for the term of four years from the second day of April next.

Mr. Milligan moved to lay the resolution on the table, pending which a call of the Senate was ordered.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bonham, Brown, Cason, Carson, Cullen, Cumback, Gifford, Hanna, Houghton, Huey, Huffman, Hunt, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Newlin,

Noyes, Oyler, Parrish, Reynolds, Richmond, Sherrod, Stein, Taggart, Terry, Thompson, Turner, and Ward—34.

The question then being, shall the concurrent resolution be laid on the table?

The ayes and noes were demanded by Messrs. Hanna and Milligan :

Those who voted in the affirmative were

Messrs. Armstrong, Carson, Gifford, Hanna, Houghton, Huey, Huffman, Hunt, Kinley, Milligan, Newlin, Noyes, Parrish, Reynolds, Sherrod, Stein, Taggart, and Turner—18.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bonham, Brown, Cason, Cullen, Cumback, Hyatt, Jaquess, Johnson, Lewis, Oyler, Richmond, Terry, Thompson and Ward—16.

So the concurrent resolution was laid on the table.

Mr. Bellamy introduced

Senate bill No. 55. A bill to amend section five and eleven of an act entitled an act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws in conflict with this act, approved February 18, 1859.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Cason introduced

Senate Bill No. 56. A bill leasing the Northern State Prison, and providing for the appraisement and transfer of the property belonging to the State in and about said Prison, to the lessees.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Oyler introduced

Senate bill No. 57. An act to divide the State into Congressional districts.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Parrish introduced

Senate bill No. 58. A bill to amend an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers, and Auditors of State."

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Bellamy introduced

Senate bill No. 59. A bill to amend sections 1, 5, 7, 12, 14, 16, 18, 25, 26, 28 and 40, of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed;" approved March 6, 1865, and to add supplemental sections to said act.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Oyler introduced

Senate bill No. 60. A bill to apportion Senators and Representatives for the General Assembly of the State of Indiana.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Carson introduced

Senate bill No. 61. A bill to amend section thirty of an act entitled "An act to amend an act entitled an act providing for the election and appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto;" approved March 5, 1859.

Which last mentioned act was approved December 20, 1865.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Jaquess introduced

Senate bill No. 62. A bill entitled an act to amend "An act providing for the settlement of decedents estates, prescribing their rights, liabilities and duties.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Stein introduced

Senate bill No. 63. A bill for the repeal of statutes not in conformity with the ruling of the Supreme Court, in the case of Langdon against Applegate and others, and limiting actions arising out of the same, or for a violation thereof.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Parrish introduced

Senate bill No. 64. A bill to amend an act entitled "An act fixing the compensation of township assessors."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bonham introduced

Senate bill No. 65. A bill to punish officers of elections for receiving illegal votes.

Which was read a first time, and passed to a second reading on to-morrow.

By consent of the Senate, the order of business was suspended, and Mr. Richmond offered the following resolution:

Resolved, That the election of a Senator in Congress to succeed the Hon. Henry S. Lane in the Congress of the United States, be made the special order for to-morrow, (Tuesday, January 22nd inst.,) at 3 o'clock P. M.

Which was agreed to.

Mr. Oyler introduced

Senate bill No. 66. A bill to amend an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms

in civil cases in the courts in this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Oyler introduced

Senate bill No. 67. A bill to amend an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State.

Which was read a first time, and passed to a second reading on to-morrow.

JOINT RESOLUTIONS.

Mr. Jaquess offered the following :

Senate Joint Resolution No. 4.

Be it resolved by the General Assembly of the State of Indiana, That the Senators be instructed, and our Representatives in Congress be requested to do all in their power to secure the passage of an act of Congress, authorizing the Secretary of the Treasury to use all the funds now in his possession, or which may hereafter come into his possession, and not otherwise appropriated in the redemption of the interest bearing portion of the public debt.

Which was read a first time, and passed to a second reading on to-morrow.

ORDERS OF THE DAY.

The following message from the House was taken up.

A message from the House by Mr. Nixon, clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bills thereof, to wit :

Engrossed House Bill No. 2. A bill to amend an act entitled an act, to incorporate the Preacher's Aid Society, approved February 12th 1841.

Engrossed House Bill No. 4. A bill to amend section 20 of the act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2nd 1855.

Engrossed House Bill No. 18. A bill to to amend section No. 15, and to repeal sections Nos. 29 and 30 of an act regulating general elections, and prescribing duties of the officers in relation thereto, approved June 7th 1852, and prescribing further duties of the officers.

House Bills Nos. 2, 4, and 18, contained in the foregoing message, were each read a first time, and passed to a second reading on to-morrow.

Senate Bill No. 5. A bill to amend an act entitled an act to amend an act entitled an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian and Clerk, approved March 4, 1859, and also increasing the powers and duties of the State Librarian, approved December 20, 1865.

Was read a second time.

Mr. Oyler moved to amend the bill by adding the following additional section thereto :

SECTION —. That the term of the State Librarian elected at the present session of the General Assembly be extended to the first day of April 1869, and that the commencement of the term of office of the State Librarian shall be the first day of April in each alternate year thereafter.

Which was agreed to, and the bill ordered to be engrossed for a third reading on to-morrow.

Senate Bill No. 22. A bill regulating the fees of clerks of courts, justices of the peace, and notaries, in certain cases.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate Bill No. 9. A bill to amend section thirteen of an act pro-

viding for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases.

Was read a third time, and,

On motion by Mr. Oyler, laid on the table.

Senate Bill No. 17. A bill to amend the title of an act entitled an act concerning licenses to vend foreign merchandise, to exhibit any caravan or menagerie, circus, rope and wire dancing, puppet shows and legerdemain.

Was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Brown, Cason, Carson, Cravens, Cullen, Cumback, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hunt, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Milligan, Noyes, Oyler, Parrish, Reynolds, Richmond, Stein, Taggart, Terry, Thompson, Ward, and Vawter—35.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate Bill No. 20. A bill to amend an act entitled an act prohibiting supreme, circuit, or common pleas judges, county clerks, auditors, treasurers, recorders, sheriffs, and their deputies, from practicing law in any of the courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof, approved March 6, 1865.

* Was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Brown, Cason, Carson, Cravens, Cumback, Houghton, Humphreys, Hunt, Jaquess, Kinley, Lewis, Milligan, Oyler, Parrish, Reynolds, Richmond, Stein, Terry, Thompson, and Ward—24.

Those who voted in the negative were,

Messrs. Cullen, Gifford, Hanna, Huey, Huffman, Hyatt, Johnson, Lee, Newlin, Noyes, Taggart, and Vawter—12.

So the bill did not pass, for want of a constitutional majority.

Senate bill No. 24. A bill to legalize acknowledgements of all deeds, mortgages, and other instruments required to be recorded, taken and certified by Notaries Public who took and certified such acknowledgments after the expiration of their commissions or vacation of their appointments,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Cravens, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Newlin, Noyes, Oyler, Reynolds, Richmond, Stein, Terry, Thompson, and Ward—21.

Those who voted in the negative were,

Messrs. Bonham, Brown, Cason, Carson, Cullen, Gifford, Hanna, Huey, Huffman, Humphreys, Hunt, Lee, Parrish, and Vawter—14.

So the bill did not pass for want of a constitutional majority.

By consent of the Senate the order of business was suspended, and,

House bill No. 42. A bill to prevent the breaking of a quorum in the General Assembly, and prescribing punishment therefor,

Was read a second time and referred to the Committee on the Judiciary.

By consent of the Senate, the amendment proposed by Mr. Cravens on Friday last, to Rule No. 37 of the Senate, was taken up.

The proposed amendment was agreed to.

By consent of the Senate, the order of business was suspended, and,

Mr. Bonham introduced

Senate bill No. 68. A bill defining sodomy and prescribing punishment therefor.

Which was read a first time, and,

On motion by Mr. Bonham, was referred to the Committee on the Judiciary.

On motion by Mr. Ward, the Senate adjourned.

TUESDAY AFTERNOON, 2 o'clock, }
January 22, 1867. }

The Senate met.

On motion by Mr. Terry, the reading of the journal was dispensed with.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Thompson presented a remonstrance from William Hannaman and others, against House bill No. 2, amending the Charter of the Preachers' Aid Society of the Indiana Conference.

Which was referred to the Committee on Corporations.

Mr. Wolcott, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

The Finance Committee, to whom was referred concurrent resolution No. 9, have had the same under consideration, and have directed me to return the same and report that it lie on the table.

They have also directed me to report the following bill as a substitute for such resolution, and recommend its passage.

Senate bill No. 69. A bill to make an appropriation for the payment of sheriffs' mileage.

Which report was concurred in.

On motion by Mr. Oyler, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, Cumback, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hunt, Hyatt

Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Smith, Staggs, Stein, Taggart, Terry, Thompson, Ward, Walcott, and Vawter—46.

The further call of the Senate was dispensed with.

BILLS INTRODUCED.

Mr. Milligan introduced

Senate Bill No. 70. A bill to amend section fifty-seven (57) of an act for the incorporation of cities, approved December 20, 1865, authorizing subscriptions and donations to aid in the construction of plank, macadamized, and railroads, moving into or through such cities, prescribing the manner in which such subscriptions and donations may be made, and for the enforcement thereof.

Which was read a first time, and,

On motion by Mr. Milligan, referred to the Committee on Corporations.

Mr. Brown introduced

Senate bill No. 71. A bill in relation to Joint Stock Insurance Companies organized under the laws of Indiana.

Which was read a first time, and,

On motion by Mr. Brown, referred to the Committee on Corporations.

Mr. Noyes introduced

Senate bill No. 72. A bill repealing an act entitled "An act providing for the redemption of real property, or any interest therein, sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith;" approved June 4, 1861.

Which was read a first time, and,

On motion by Mr. Noyes, referred to the Committee on the Judiciary.

Mr. Church introduced

Senate bill No. 73. A bill to regulate and make uniform the

prices charged by Railroad Companies for transporting goods, merchandise, and material, to and from stations on railroads in this State.

Which was read a first time, and,

On motion by Mr. Church, referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Cumback introduced

Senate bill No. 74. A bill amendatory of an act entitled "An act to provide for the more uniform method of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act;" approved February 18, 1859.

Which was read a first time, and,

On motion by Mr. Cumback, referred to the Committee on County and Township Business.

Mr. Reynolds introduced

Senate bill No. 75. A bill for the incorporation of Slackwater Navigation Companies, and defining their powers and duties.

Which was read a first time, and,

On motion by Mr. Reynolds, referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Thompson introduced

Senate bill No. 76. A bill to increase the salary of the Prosecuting Attorneys of the Criminal Circuit Courts, and providing the manner of paying the same.

Which was read a first time, and,

On motion by Mr. Thompson, referred to the Committee on the Judiciary.

Mr. Ward introduced

Senate bill No. 77. An act to amend an act entitled "An act to provide for the election, or appointment of Supervisors of Highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859.

Which was read a first time, and,

On motion by Mr. Ward, referred to the Committee on Roads.

Mr. Wolcott introduced

Senate bill No. 78. A bill regulating interest on money, to repeal all laws and parts of laws in conflict with this act, and to repeal the fifty-first section of the act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.

Which was read a first time, and,

On motion by Mr. Wolcott, referred to the Committee on the Judiciary.

By consent of the Senate, the order of business was suspended, and

Mr. Parrish offered the following resolution :

Resolved, That the Committee on Military Affairs be authorized to employ a clerk, for said Committee.

Which was agreed to.

SPECIAL ORDER.

The hour having arrived, designated by the resolution of the Senate adopted on yesterday, making the election of a Senator in the Congress of the United States, from the State of Indiana, the special for to-day at three o'clock P. M.

The President announced nominations for a Senator in Congress, from the State of Indiana to be in order.

Mr. Hanna put in nomination, Hon. Daniel W. Voorhees, for that office.

Mr. Bennett put in nomination, Governor Oliver P. Morton, for that office.

The Senate then proceeded to the election of a Senator in Congress, from the State of Indiana, by an open and *viva voce vote*, with the following result :

Those who voted for Daniel W. Voorhees, were,

Messrs. Barker, Bowman, Carson, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hunt, Lee, Mason, Newlin, Sherrod, Smith, Staggs, Taggart, Turner, and Vawter—19.

The whole number of votes given for Daniel W. Voorhees, was—
19.

Those who voted for Gov. Oliver P. Morton were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward, and Wolcott—28.

The whole number of votes given for Oliver P. Morton was—28.

Mr. Cravens and Mr. Kinley voted for Honorable Henry S. Lane.

The whole number of votes given for Hon. Henry S. Lane was—2.

The President announced that Oliver P. Morton had received a majority of all the votes given by the Senate, for the office of Senator in Congress from the State of Indiana.

It was therefore ordered, that the proceedings aforesaid be spread upon the Journal.

By consent of the Senate, the order of business was suspended, and,

Mr. Bennett offered the following concurrent resolution :

Resolved, the House concurring, That the Senate and House of Representatives will meet in Joint Convention in the Hall of the House of Representatives, on to-morrow, the 23d instant, at 12 o'clock M., for the purpose of comparing the separate action this day taken by the Senate and House of Representatives respectively, in relation to the election of a Senator in Congress to succeed the Hon. Henry S. Lane, upon the expiration of his term of service, and also, for the purpose of taking such action as that comparison and the provisions of the act of Congress in such case made and provided, may render necessary.

Which was adopted.

Ordered, That the Secretary inform the House thereof.

Mr. Parrish asked and obtained leave of absence for Mr. Bonham.
S. J.—9.

By consent of the Senate, the order of business was suspended, and,

Mr. Cumback offered the following resolution :

Resolved, That when the Senate adjourn, it adjourn to meet at 11 o'clock A. M., on to-morrow.

Which was agreed to.

On motion by Mr. Cravens, the Senate adjourned

WEDNESDAY MORNING, 11 o'clock, }
January 23, 1867. }

The Senate met.

On motion by Mr. Oyler, the reading of the Journal was dispensed with.

A message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the following resolution of the Senate, to-wit:

Resolved, the House concurring, That the Senate and House of Representatives will meet in Joint Convention in the Hall of the House of Representatives on to-morrow, the 23d instant, at 12 o'clock, M., for the purpose of comparing the separate action this day taken by the Senate and House of Representatives, respectively, in relation to the election of a Senator in Congress to succeed the Hon. Henry S. Lane, upon the expiration of his term of service; and also for the purpose of taking such action as that comparison and the provisions of the act of Congress, in such cases made and provided, may render necessary; and the Senate is hereby invited to meet the House of Representatives in the hall of the House, at the time and for the purposes specified in the resolution of the Senate.

A message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed the following enrolled act of the House, to-wit:

Enrolled Act, House of Representatives, No. 3. An act to fix the times of holding the Courts of Common Pleas in the Eighth Judicial

District of the State of Indiana, and repealing former laws on the subject, and declaring when this act shall take effect.

And the President of the Senate is respectfully requested to sign the same.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Church presented a petition from sundry citizens of Indiana, praying the enactment of laws for the protection of fur-bearing animals.

Which, on motion by Mr. Rice, was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Jaquess presented a petition from William Baker and Thomas G. Garver, asking an allowance to the estate of Robert Early, deceased.

Which was referred to the Committee on Claims.

Mr. Houghton presented a petition from the Committee of the Indiana State Board of Agriculture, asking that the State furnish the State Board of Agriculture with a room for an office, and a room for the safe-keeping of a collection of mineral and geological specimens.

Which was referred to the Committee on Public Buildings.

REPORTS FROM STANDING COMMITTEES.

Mr. Oyler, from the Committee on Elections, made the following report:

MR. PRESIDENT:

The Committee on Elections to whom was referred the contested claims of John Hunt and Milton S. Robinson, as a Senator of the General Assembly of the State of Indiana, from the district composed of the counties of Madison and Grant, for which district John Hunt has been admitted, have instructed me to report:

That the Committee after having examined the evidence of the contestants, and heard the argument of counsel therein, find the following facts:

That at the general election on the 9th day of October, 1866, for the election of a Senator, for the district composed of the counties of Madison and Grant; that there were cast for John Hunt sixty-four illegal votes, and for Milton S. Robinson one illegal vote; that by the returns of said election for said office of Senator, the said John Hunt is shown to have received a majority of eighteen votes; that by deducting from the number of votes returned for him, the amount shown to be illegal by reason of non-residence, minority and double voting; and excluding from the Count the illegal vote cast for Milton S. Robinson, we find that Milton S. Robinson received three thousand six hundred and nineteen votes, and that John Hunt, at said election in the counties aforesaid, for the office aforesaid, and for the district aforesaid, received thirty-five hundred and seventy-four legal votes. The Committee further report that, from the evidence before the Committee, it appears that some thirty six deserters from the army of the United States, from the draft, and the enrollment, voted for John Hunt, and while your Committee fully believe that men thus recreant to duty, to their country, to their oath, and their duty as citizens, of right ought to be excluded from their privileges as citizens, and from any and all participation in the selection, or election of officers, both State and National; yet from the fact that it is to some extent an unsettled question, as to the extent of the law of the United States, in disfranchising men of the class described in such law, when voting or offering to vote under the laws of a State, they have not passed upon that question, but have allowed such votes to be counted for the contestee in this case.

Your Committee recommend the adoption, by the Senate, of the following resolutions:

Resolved, That Milton S. Robinson having been duly elected a Senator for the district composed of the counties of Madison and Grant, in the General Assembly of the State of Indiana, of right ought to be, and is hereby declared to be elected, and is hereby admitted to his seat in the Senate, as Senator for the district aforesaid; and that John Hunt has no legal right to a seat in the Senate, as the Senator for the district aforesaid, he not having received a majority of the legal votes cast for that office at the general election, on the 9th day of October, 1866; and,

Be it further resolved, That John Hunt and Milton S. Robinson be each of them, allowed the sum of one hundred dollars out of the

State Treasury, to be drawn on their order, certified to by the President of the Senate, for attorney fees, and expenses in the contest herein.

All of which is respectfully submitted, and your Committee ask to be discharged from the further consideration of this subject.

Mr. Oyler moved to lay the report on the table, and make it the special order for to day at 2½ o'clock, P. M.

Mr. Hanna moved to amend the motion by making the report the special order for Friday 2 o'clock, P. M.

Mr. Bennett moved to amend the amendment by making it the special order for to-morrow at 2 o'clock, P. M.

Which was agreed to.

The question recurring upon the motion as amended,

It was agreed to.

Mr. Cumback, from the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education have had the petition of Jas. O'Brien and others under consideration, and have directed me to report the same back, and recommend that it be referred to the Committee on the Judiciary.

Which was concurred in.

Mr. Cumback, from the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education have had Senate bill No. 50, a bill to amend section 12 of "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent

therewith, providing penalties therein prescribed," under consideration, and report unanimously in favor of the passage of the same, with an amendment declaring an emergency exists, and that said bill be in force from and after its passage.

Which report was concurred in.

Mr. Cullen, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 70, a bill to amend section 57 of "An act for the incorporation of cities, approved Dec. 20, 1865, authorizing subscriptions and donations to aid in the construction of plank, macadamized, and railroads running into or through such cities, prescribing the manner in which subscriptions or donations may be made, and for the enforcement thereof," have had the same under consideration, and direct me to return the same to the Senate with the following amendments :

After the word "trains," in line 3, page 4, add "from the point of commencement to such point or points as are designated in the petition."

And when so amended recommend its passage.

Which report was concurred in.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 12, a bill for the correction of mistakes in conveyances where a married woman is a party, report that they recommend that said bill be amended by inserting in line 3, page 1, after the word "delivered," the words "or shall hereafter execute, acknowledge, and deliver," and by striking out all after the word "jurisdiction," in line 15, page 1, to the end of line 2, page 2, and when so amended the committee recommend that the bill be passed.

Which report was concurred in.

Mr. Bennett, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The committee, to whom was referred Senate bill No. 29, entitled "A bill defining who shall be competent witnesses in any Court or judicial proceeding in this State, and to repeal all laws and parts of laws in conflict with this act," beg leave to report that they have had the same under consideration, and have ordered the same reported back to the Senate, and its passage recommended.

Which was concurred in.

Mr. Cullen, from the Committee on the Organization of Courts of Justice, made the following report :

MR. PRESIDENT :

The Committee on the Organization of Courts, to whom was referred Senate bill No. 34, entitled an act to amend section three of an act entitled an act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the Judges thereof, approved May 14, 1852, and creating a new district, and providing for the appointment of a Judge therein, have had the same under consideration, and direct me to report the same back to the Senate without amendment, and recommend its passage.

Which report was concurred in.

Mr. Cravens, chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 11, a bill to amend sections three and fourteen, of an act entitled "an act to allow County Commissioners to organize Turnpike Companies, where three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction and provide for the same to be free," have had the same under consideration, and directed me to report the same back to the Senate without amendment, and recommend its passage.

Which report was concurred in.

Mr. Rice, from the Committee on the Judiciary, made the following report :

Mr. PRESIDENT :

The Committee to whom was referred Senate bill No. 68, entitled "a bill defining Sodomy, and prescribing punishment therefor," direct me to report, that they have had the same under consideration and recommend that it be indefinitely postponed.

Which, on motion by Mr. Bennett, was laid on the table.

Mr. Howk, from the Committee on the Judiciary, made the following report :

Mr. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 31, a bill to amend section one hundred and seventeen, and repeal section one hundred and sixteen, of an act entitled an act to revise, simplify and abridge, the rules, practice, pleadings and forms in criminal actions in courts of this State, to amend section one hundred and seventeen, and to repeal section one hundred and sixteen, of the criminal practice act, having duly considered the said bill, report the same back to the Senate, and recommend that the further consideration of said bill be indefinitely postponed.

Which was concurred in.

RESOLUTIONS.

Mr. Thompson offered the following resolution :

Resolved, That Patrick Branham be allowed fifteen dollars for three days' work performed during the called session of the General Assembly of 1865, and certified to by John H. Johnson, the former Doorkeeper of the Senate.

Which, on motion by Mr. Thompson, was referred to the Committee on Claims.

Mr. Cullen offered the following resolution :

Resolved, That Henry C. Guffin be allowed five dollars for one days work, as Journal clerk in the organization of the Senate.

Which was referred to the Committee on Claims.

Mr. Cullen gave notice that he would offer the following amendment to the rules :

Resolved, That rule first of the standing rules and orders for the government of the Senate be amended, as follows :

In line 2 of rule 1st, strike out the word "fifteen," and insert the word "thirty."

Which was laid over one day under a rule of the Senate.

BILLS INTRODUCED.

Mr. Jaquess introduced

Senate bill No. 79. A bill providing for the incorporation of Electric Telegraph Companies.

Which was read a first time and,

On motion by Mr. Jaquess, was referred to Committee on Corporations.

Mr. Oyler introduced

Senate bill No. 80. A bill providing for the organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties, and to repeal all laws in conflict therewith.

Which was read a first time and,

On motion by Mr. Oyler, referred to the Special Joint Committee on the Organization of Courts.

A message from the House, by Mr. Nixon, the clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following resolution, to wit :

Resolved, That the Senate be invited to repair to the hall of the House of Representative *instanter*, for the purpose of comparing the votes cast by the respective Houses on yesterday for United States Senator, and for taking such other proceedings as are prescribed by law in relation thereto, and that seats have been prepared for the Senators on the right hand of the Speaker's chair.

The invitation contained in the foregoing message was accepted, and the hour of twelve o'clock M. having arrived, the Senate immediately repaired to the hall of the House of Representatives for the purpose designed in said message.

Hon. Conrad Baker, President of the Senate, took the chair and called the Joint Convention to order.

The Journals of the Senate and of the House of Representatives were read to the Joint Convention, so far as the same had reference to the vote of the separate Houses, had on yesterday, for the election of a Senator in Congress from the State of Indiana.

From a comparison, then had in said Joint Convention, of the Journals aforesaid, it was found that, for the office of Senator in Congress, Gov. Oliver P. Morton had received, in the Senate, 28 votes; in the House of Representatives, 60 votes.

Whole number of votes given in the two Houses for Gov. Oliver P. Morton was 88.

That Hon. Daniel W. Vorhees had received for that office, in the Senate, 19 votes, in the House of Representatives, 33 votes.

Whole number of votes given in the two Houses for Hon. Daniel W. Vorhees, 52.

That Hon. Henry S. Lane had received for that office, in the Senate, 2 votes.

The Joint Convention thereupon declared that Gov. Oliver P. Morton, having received a majority of all the votes cast in each House of the General Assembly of the State of Indiana, was duly elected Senator in Congress from said State for the term of six years from and after the 4th day of March, A. D. 1867.

The Joint Convention then adjourned *sine die*, and the Senate returned to its chamber.

On Motion by Mr. Oyler the Senate adjourned.

The Senate met.

TWO O'CLOCK P. M.

Mr. Oyler introduced

Senate bill No. 81. A bill to establish a county court in each county in the State, for the election of county Judges, fixing the jurisdiction of said courts, the officers thereof, its power and duties, for the transfer of business in the Common Pleas Courts, and to repeal all laws conflicting with this act.

Which was read a first time and,

On motion by Mr. Oyler, referred to the Special Joint Committee on the Re-organization of Courts.

Mr. Oyler introduced

Senate bill No. 82. A bill districting the State for judicial purposes, and for fixing the time of holding the Circuit Courts in the several counties of the State.

Which was read a first time, and referred to the special Joint Committee on the Reorganization of Courts.

Mr. Noyes introduced

Senate bill No. 83. A bill to amend the forty-first section of an act entitled "An act to revise, simplify, and abridge the rules practice, pleadings, and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which was read a first time, and,

On motion by Mr. Noyes, referred to the Committee on the Judiciary.

Mr. Bennett introduced

Senate bill No. 84. A bill relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries.

Which was read a first time, and,

On motion by Mr. Bennett, referred to the Committee on the Judiciary.

Mr. Reagan introduced

Senate bill No. 85. A bill to amend the 13, 14, 15, 16, 17, and 18 sections of an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855.

Which was read a first time, and,

On motion by Mr. Reagan, referred to the Committee on the Judiciary.

Mr. Howk introduced

Senate bill No. 86. A bill for an act supplemental to an act entitled "An act for the incorporation of High Schools, Academies,

Colleges, Universities, Theological Institutions, and Missionary Boards," approved February 28, 1855.

Which was read a first time, and,

On motion by Mr. Howk, referred to the Committee on Corporations.

Mr. Parrish introduced

Senate Bill No. 87. A bill to prevent persons who have been, or may hereafter be enrolled, mustered or drafted into the military, naval or marine service of the United States, or of the State of Indiana, who have, or hereafter shall desert the same, from exercising the elective franchise at any general or special election held in said State, and forever disfranchising such persons.

Which was read a first time, and, on motion by Mr. Parrish, referred to the Committee on Military Affairs.

Mr. Houghton introduced

Senate Bill No. 88. A bill requiring parties who shall institute suits for divorce or slander to give security for costs before process issues.

Which was read a first time, and,

On motion by Mr. Houghton, referred to the Committee on the Judiciary.

Mr. Howk introduced

Senate Bill No. 89. A bill providing for the incorporation of steam packet companies.

Which was read a first time, and,

On motion by Mr. Howk, referred to the Committee on Corporations.

By consent of the Senate, Mr. Oyler offered the following preamble and resolution:

WHEREAS, It appears by the report of the Auditor of State, of the receipts and expenditures during the fiscal year ending October, 1866, that there was received into the Treasury of the State the sum of eighteen thousand four hundred and twenty-eight dollars and thirty-

three cents, under section four of an act repealing an act entitled an act for the relief of the families of soldiers, seamen, and marines, and sick and wounded Indiana soldiers in hospitals in the State and United States service, and of those who have died or been disabled in such service, and prescribing the duties of certain officers therein named, approved March 4, 1865, and providing for the collection and disposition of the taxes levied in pursuance thereof for the year 1865, and providing when the same shall take effect, approved December 20, 1865.

Which said section reads as follows :

SECTION 4. The Treasurers of the several counties shall pay over to the State Treasurer five per cent. of all the taxes levied and collected, or to be collected under the provisions of said act for the year 1865, out of which five per cent. shall be paid on any indebtedness incurred or created by the Governor in anticipation of the one hundred thousand dollars appropriated by the second section of the above named act for the year 1865, for the relief of the sick and wounded Indiana soldiers in hospitals; and the residue of the said five per cent. may be applied, under the direction of the Governor, to the relief of sick, destitute, wounded or disabled Indiana soldiers, who have been honorably discharged and may need such assistance, and the amount and manner of such expenditure shall be reported by the Governor to the next General Assembly.

Resolved, That his Excellency, the Governor, be requested to report to the General Assembly the amount and manner of the expenditures of said fund, and what amount, if any, of said fund, remains on hand or in the State Treasury.

Which was agreed to.

ORDERS OF THE DAY.

BILLS ON SECOND READING.

Senate Bill No. 53. A bill to amend the first section of an act entitled an act to amend the first section of an act to amend an act entitled an act to amend the sixth section of an act providing for the organization of county boards, and prescribing some of their powers and duties, which first above mentioned act was approved June 17, 1852. The said second mentioned act was approved February 16,

1859, which latter act last above mentioned was approved March 9, 1861, and which act hereby amended was approved March 7, 1863.

Was read a second time by its title, and referred to the Committee on County and Township Business.

Senate bill No 54. A bill authorizing the assessment of all the lands within one and one-half miles of the terminus of any plank, macadamized or gravel roads organized under, and pursuant to an act of the General Assembly of the State of Indiana, entitled "An act authorizing the construction of plank, macadamized and gravel roads, approved May 12, 1852," when the subscription to such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same, and the collection of such assessment, provided the lands are situate within the county in which such road is located.

Was read a second time by its title, and referred to Committee on Roads.

Senate bill No. 55. A bill to amend sections five and eleven of an act entitled an act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act, approved February 18, 1859.

Was read a second time by its title, and referred to the Committee on Township Business.

Senate bill No. 56. A bill leasing the Northern State Prison, and providing for the appraisement and transfer of the property belonging to the State in and about said Prison to the lessees.

Was read a second time by its title, and referred to the Committee on Prisons.

Senate bill No. 57. A bill to divide the State into Congressional Districts.

Was read a second time by its title, and referred to the Committee on Congressional Apportionments.

Senate bill No. 58. A bill to amend an act entitled an act to provide for the valuation, and assessment of real and personal property,

and the collection of taxes in the State of Indiana ; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer, and Auditor of State, approved June 21, 1852.

Was read a second time by its title, and referred to the Committee on County and Township Business.

Senate bill No. 59. A bill to amend sections 1, 5, 7, 12, 14, 16, 18, 25, 26, 28 and 40, of an act entitled "An act to provide a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and to add supplemental sections to said act.

Was read a second time, by its title, and referred to the Committee on Education.

Senate bill No. 60. A bill to apportion Senators and Representatives for the General Assembly of the State of Indiana.

Was read a second time, by its title, and referred to the Committee on Legislative apportionments.

Senate bill No. 61. A bill to amend section thirty of an act entitled "An act to amend an act entitled an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto;" approved March 5, 1859, which last mentioned act was approved December 20, 1865.

Was read a second time, by its title, and referred to the Committee on County and Township Business.

Senate bill No. 62. A bill to amend an act entitled "An act providing for the settlements' of decedent estates, prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement."

Was read a second time, by its title, and referred to the Committee on the Organization of Courts.

Senate bill No. 63. A bill for the repeal of Statutes not in conformity with the ruling of the Supreme Court in the case of Langdon against Applegate and others, and limiting actions arising out of the same, or for a violation thereof.

Was read a second time, by its title, and referred to the Committee on the Judiciary.

Senate Bill No. 64. A bill to amend an act entitled "An act fixing the compensation of Township Assessors."

Was read a second time, by its title, and referred to the Committee on County and Township Business.

Senate bill No. 65. A bill to punish officers of elections for receiving illegal votes.

Which was read a second time, by its title, and referred to the Committee on Elections.

Senate bill No. 66. A bill to amend an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."

Was read a second time, by its title, and referred to the Committee on the Judiciary.

Senate bill No. 67. A bill to amend an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings and forms in criminal actions in the Courts of this State.

Was read a second time, by its title, and referred to the Committee on the Judiciary.

Senate bill No. 69. A bill to make an appropriation for Sheriff's mileage.

Was read a second time.

Mr. Bennet moved to suspend the rules, consider the bill as engrossed, and that it be read a third time now.

S. J.—10.

The ayes and naves being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, Cumback, English, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Kinley, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Smith, Stein, Terry, Thompson, Ward and Wolcott—39.

Those who voted in the negative were,

Messrs. Humphreys, Sherrod, Staggs and Taggart—4.

So the rules were suspended and the bill read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, Cumback, English, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Kinley, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward and Wolcott—43.

Mr. Humphreys voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Church moved to suspend the order of business, and take up Senate bill 24.

Which was agreed to, and

Senate bill No. 24, a bill to legalize acknowledgments of all deeds, mortgages, and other instruments required to be recorded, taken and certified by Notaries Public, who took and certified such acknowledgments after the expiration of their commission, or vacation of their appointments,

Was taken up.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, Cumback, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Kinley, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward and Wolcott—44.

No Senator voting voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

BILLS ON THIRD READING.

Senate bill No. 5. A bill to amend an act entitled an act to amend an act entitled an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an assistant Librarian and clerk, approved March 4th, 1859, and also increasing the powers and duties of the State Librarian, approved December 30th, 1865.

Was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Kinley, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson and Ward—27.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Lee, Sherrod, Staggs, Taggart and Turner—15.

So the bill passed.

Ordered that the Secretary inform the House thereof.

Senate bill No. 22. A bill regulating the fees of clerks of courts, justices of the peace and notaries in certain cases.

Was read a third time, and the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, Cumback, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Kinley, Lee, Lewis, Mason, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward and Wolcott—43.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By consent of the Senate, Senate Joint Resolution No. 4, instructing our Senators, and requesting our Representatives in Congress to do all in their power to secure the passage of an act of Congress, authorizing the Secretary of the Treasury to use all the funds now in his possession, or which may hereafter come into his possession, and not otherwise appropriated in the redemption of the interest bearing portion of the public debt.

Was read a second time by its title, and referred to the Committee on Finance.

HOUSE BILLS ON SECOND READING.

House bill No. 2. A bill to amend an act entitled an act to incorporate the Preacher's Aid Society, approved February 12th, 1841, and to authorize and require said incorporation to divide and pay over in equal shares to each Preacher's Aid Society in the the several annual conferences in Indiana the funds of said incorporation by the 1st of January 1868.

Was read a second time by its title, and referred to the Committee on Corporations.

House bill No. 4. A bill to amend section 20 of the act regulating the fees of officers and repealing former acts in relation thereto, approved March 2nd, 1865.

Was read a second time by its title, and referred to the Committee on the Judiciary.

House bill No 18. A bill to amend section 15, and to repeal sections 29 and 30 of an act regulating general elections, and prescribing

ing duties of the officers in relation thereto, approved June 7, 1852, and prescribe further duties of the officers of elections.

Was read a second time by its title, and referred to the Committee on Elections.

Mr. Taggart asked and obtained leave of absence for Mr. Hunt.

Mr. Cumback moved to suspend the order of business, and take from the files

Senate bill No. 58. A bill to amend section 12 of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and the repeal of all laws inconsistent therewith, providing penalties therein prescribed.

Which was agreed to.

Mr. Cumback moved to consider the bill as engrossed, and that it be read a third time now.

Which was agreed to, and the bill was read a third time, and the question being, shall the bill pass?

Those voting in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cravens, Cumback, Hanna, Houghton, Hyatt, Jaquess, Kinley, Lewis, Mason, Niles, Noyes, Oyler, Reagan, Rice, Richmond, Stein, Terry, Thompson, Ward, Wolcott and Vawter—27.

Those voting in the negative were,

Messrs. Barker, Bowman, Carson, Cullen, English, Gifford, Howk, Huey, Huffman, Humphreys, Johnson, Lee, Milligan, Reynolds, Sherrod, Smith, Staggs and Turner—18.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By consent of the Senate, Mr. Cravens offered the following resolution:

Resolved, That the Judiciary Committee be and hereby is instructed to inquire into the expediency of requiring all sales of real estate at sheriff's sale by Guardians, Administrators and Executors, to be advertised in daily as well as weekly papers, in such counties as have daily papers published therein, and to report by bill or otherwise.

Which was adopted.

On motion by Mr. Gifford, the Senate adjourned.

THURSDAY AFTERNOON, 2 o'clock, }
January 24, 1867. }

The Senate met.

On motion by Mr. Oyler, the reading of the Journal was dispensed with.

By unanimous consent of the Senate, Mr. Cumback presented a petition, from Conrad Baker, and others, asking an appropriation of five hundred dollars a year to be used by the State Horticultural Society of Indiana in arranging, publishing, and disseminating the transactions of the same.

Which was referred to to the Committee on Agriculture.

By consent of the Senate, Mr. Cullen's amendment, to rule first of the Senate, offered on yesterday, was taken up.

The amendment was agreed to.

By consent of the Senate,

Senate bill No. 12. A bill for the correction of mistakes, in conveyances, where a married woman is a party.

Was taken from the files and,

On motion by Mr. Bellamy, recommitted to the Committee on the Judiciary.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House to inform the Senate, that the House has passed without amendments the following engrossed Joint Resolution of the Senate, to wit :

Engrossed Senate Joint Resolution No. 1. A Joint Resolution accepting and ratifying certain Amendments to the Constitution of the United States, proposed by Congress to the Legislatures of the several States.

Mr. Stein asked and obtained leave of absence for Mr. Milligan.

A message from the Governor, by Mr. Hollaway, his Private Secretary.

MR. PRESIDENT :

I am directed by the Governor to transmit to your honorable body the following message, resigning the office of Governor of Indiana.

To the General Assembly of the State of Indiana :

Having been elected to the office of United States Senator, I desire to express my deep sense of obligation for this high mark of your confidence and esteem. This election is more precious to me, as an endorsement of my administration, extending through nearly six years, than for the intrinsic value of the office which it confers.

To that large body of friends who nobly sustained me through the difficulties by which I was surrounded during the dark and perilous hours of the Rebellion, I am bound by sentiments of affection and gratitude which will end only with my life.

To the officers and soldiers of Indiana, whose devoted patriotism and heroic valor have shed so much lustre upon the State and Nation, I return my heartfelt thanks for their many manifestations of confidence and regard. My connection with them in the organization and support of the army will ever be the proudest period of my life. May this people hold them in grateful and affectionate remembrance.

Our beloved State has entered upon a new career of growth, prosperity and honor. To your charge, her interests are committed, and you will see to it, I am confident, that they are carefully and wisely fostered, and that no reproach shall be brought upon her high character.

Governor Baker is able, patriotic, and faithful, and now with a consciousness of having tried to do my duty, and with earnest prayers for the prosperity and happiness of the people of Indiana, I hereby resign into his hands, under the Constitution, the office of Governor.

O. P. MORTON.

EXECUTIVE DEPARTMENT, }
Indianapolis, Jan. 24, 1867. }

Governor Baker, President of the Senate, then addressed the Senate, as follows :

With the indulgence of the Senate, I will say, this communication admonishes me, that the intimate and the pleasant relations heretofore existing between myself and the Senate are about to be severed. An adept in oratoric art would make this an occasion of interest, but as I possess no such powers I propose to make no formal address. Yet I would be doing violence to my own nature, did I not express to the Senate the deep gratitude I feel for the kindness and courtesy with which I have been uniformly treated. I shall treasure this up to the latest period of my life. And now I beg leave to say to the Senate, farewell, and to every individual Senator, God bless you.

Mr. Cravens took the Chair.

Mr. Cravens offered the following resolution :

Resolved, That the thanks of the Senate are hereby tendered to Lieutenant-Governor Conrad Baker, for the able, impartial and courteous manner, in which he has presided over the deliberations of the Senate, and that the Senate does hereby congratulate him and the State on his accession to the Chief Magistracy of the State.

The ayes and noes were demanded by Messrs. Bennett and Vawter.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Carson, Church, Cravens, Cullen, Cumback, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Humphreys, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Vawter—46.

No Senator voting in the negative.

So the resolution was unanimously adopted.

Mr. Bennett moved that the Senate at once proceed to the election of a President of the Senate.

Which was agreed to.

The election of a President of the Senate, being in order,

Mr. Cullen nominated Hon. Will. Cumback, for that office.

Mr. Mason nominated Hon. Bayless W. Hanna, for that office.

Those who voted for Hon. Will. Cumback, were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward, and Wolcott—26.

Those who voted for Hon. Bayless W. Hanna, were,

Messrs. Barker, Bowman, Carson, English, Gifford, Howk, Huey, Huffman, Humphreys, Lee, Mason, Newlin, Sherrod, Smith, Staggs, Taggart, Turner, and Vawter—18.

Hon. Will. Cumback, having received a majority of all the votes given for that office, was declared duly elected President of the Senate.

The President *pro tem.* appointed the Senator from Vigo and the Senator from Rush, to conduct the President elect to the Chair.

Upon taking the Chair, Mr. Cumback said :

GENTLEMEN :

I am deeply sensible of the honor you confer upon me in selecting me as your presiding officer. I can not fail to recognize the fact that this Senate is composed of men who have distinguished themselves in their professions and avocations at home. Many of this body have often been called to fill important stations in the State, and have filled these exalted positions with honor, and many have distinguished themselves on the hardest fought battle fields, while in the service of our common country. A compliment of this character, from such a source, is one of which any man might well be proud, and I beg you to accept the thanks of a grateful heart.

I beg to say, gentlemen, that I have no experience as a presiding officer—that I am quite unfamiliar with the intricacies of parliament-

ary law, and will therefore be compelled to draw largely, and often, upon your generous forbearance and indulgence. Permit me to express the hope that I will have your constant assistance in the discharge of the difficult duty assigned to me. All that I can promise you is a sincere desire to do my duty with faithfulness and impartiality.

In accordance with the demand of the Constitution of our State, our distinguished presiding officer has just been called to the discharge of higher duties in a more extended field of usefulness. As the vote of the Senate just taken shows we part from him with deep regret, and he carries with him our earnest and sincere regard. He will distinguish himself there, as he has done here, and we may congratulate ourselves and our constituents that the interests of this great State are in the hands of a man with a clear head and a pure heart. No man can be found in the State more worthy to receive the mantle of our distinguished Governor than Conrad Baker.

And now, gentlemen, permit me to express the hope that harmony may be found in all our deliberations; that wisdom may be a distinguishing feature of all of our measures, and that all that we may do may be for the glory of God and the happiness and prosperity of the people of our State, so that when we return to our constituents the great trust they have with so much confidence and generosity confided to us, they may say to us and of us, "Well done, good and faithful servants."

On motion, by Mr. Bennett, the following message from the House of Representatives was taken up.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed, with the accompanying engrossed amendments of the House thereto annexed,

Engrossed Senate bill No. 26, entitled "An act appropriating seventy-five thousand dollars to defray the expenses of the forty-fifth session of the General Assembly," in the passage of which, said engrossed amendments, the concurrence of the Senate is respectfully requested.

Engrossed House amendments to Senate bill No. 26, contained in the foregoing message.

Strike out the third section entire, and in lieu thereof insert the following :

That it shall be the duty of said Auditor to audit the accounts, and issue his warrant upon the Treasurer of State for the per diem of the officers of the Senate and House of Representatives, and their assistants and appointees, including other assistants to Committees, and Clerks of the State Librarian, appointed by authority of either House of the General Assembly.

The pay of the employees, aforesaid, shall be as follows :

Of the Principal and Assistant Secretaries of the Senate, and their Assistants, five dollars per day, each ; of the Principal and Assistant Clerks of the House, and their Assistants, five dollars per day, each ; of the Principal Doorkeeper of the Senate, and the Principal Doorkeeper of the House, five dollars per day, each ; of the Assistants of said Doorkeepers, including folding and Stationery Clerks, in either House, four dollars per day, each ; of the Clerks employed by the State Librarian, under the authority of the Senate, or House of Representatives, five dollars per day, each ; of the Clerk of the Committee of Ways and Means, five dollars per day, and of the Clerks of the other Committees, when appointed by the consent of the respective Houses, four dollars per day, each, for the time actually employed, which time shall be certified to by the Presiding Officer of the respective Houses, by the Chairman of each Committee employing a clerk ; of other employees of Committees, when employed by authority of either House, four dollars per day, for each day actually employed, to be certified in the manner above provided in case of Clerks of Committees ; of Pages of the respective Houses, two dollars per day, each ; of the Clerk of the President of the Senate, and of the Clerk of the Speaker of the House, five dollars per day, each, and the Committee recommend the adoption of the following additional section to said bill :

SEC. 4. There is hereby appropriated, to defray the current expenses of the Benevolent Institutions to the 31st day of March, 1867, the following sums to wit:

• Hospital for the Insane—from the 1st day of January, 1867, fifteen thousand dollars.

Asylum for the Blind—from the 31st day of October, 1866, twelve thousand and five hundred dollars;

Institute for the Deaf and Dumb—from the 31st day of October, 1866, twelve thousand five hundred dollars.

And they further recommend that the 4th Section of the bill be amended by changing the number of Section "4" to number "5," and by striking out the word "purpose" in the second line thereof, and inserting the word "purposes," and to amend the title of the bill by adding thereto the following:

"And appropriating the sum of forty thousand dollars to defray the expenses for the Hospital for the Insane, the Asylum for the Blind, and the Institute for the Education of the Deaf and Dumb, to the 31st day of March, A. D. 1867."

On motion, by Mr. Bennett, the first amendment of the House was amended by striking out the words "four dollars," where they occur, and inserting in lieu thereof "five dollars," and by striking out the words "two dollars," where they occur therein, and inserting in lieu thereof the words "three dollars," and when so amended, the first amendment of the House was concurred in, and the Senate refused to concur in the second and third proposed amendments of the House.

Ordered, That the Secretary inform the House thereof.

Mr. Hanna offered the following resolution:

Resolved, That when the Senate adjourns, it will adjourn to meet at 9 o'clock to-morrow.

Which was agreed to.

SPECIAL ORDER.

The hour having arrived, the special order for to-day at 2 o'clock P. M., being the report of the Committee on Elections, on the contest of Milton S. Robinson, contesting the seat of Hon. John Hunt,

Was taken up.

Mr. Gifford, from the Committee on Elections, submitted the following report:

To the Senate of Indiana:

The minority of the Committee on Elections, to which was referred the contest of Milton S. Robinson against John Hunt, in which he claims to be the elected Senator from the counties of Madison and Grant, beg leave to submit the following report:

The minority deem it proper to say that in the investigation of this case, there has been such haste upon the part of the majority of the Committee as to seem almost indecent.

If the majority will give to the world the reasons which have influenced their decision in favor of the contestant we will be pleased, as we would like the world to see what reasons could be assigned for his pretensions.

Not a single poll book is put in evidence on behalf of the contestant.

Not a single person whose vote was alleged to have been illegal was produced and sworn by the contestant.

Not a single witness swears that he saw the ticket of a single one of the alleged illegal voters, but in the language of Samuel Myers, a swift witness, and who stands upon the record convicted of perjury and the equally mean act of attempting to blast the character of a neighbor, it seemed to be a sufficient proof that "they vote the Democrat ticket generally."

There is a looseness about the testimony of these witnesses, and a recklessness about their manner of testifying, that can only be accounted for by the fact that the witnesses themselves knew not whereof they were testifying, but were willing to go to the utmost verge to save an ambitious young man the mortification of a defeat.

Not a single particle of record evidence was before the Committee. We have always supposed that the production of the poll book, the identification of the alleged illegal voter, as the one named on that poll book, and proof not how he generally voted, not that he voted a straight ticket of the party, but how he voted at that particular election, and whether he voted against the person attacking his vote was the proof required to set aside a vote as illegal, to prove that a man generally votes a certain kind of a ticket, that it is notorious he belongs to a certain party, that he was brought to the polls by a party

leader, does not prove that he voted for every person on that ticket.

To illustrate. A man voting in Madison county might have voted the straight Democratic ticket and not have voted for Dr. Hunt, who was the Democratic candidate for Senator. The ticket might have been straight so far as it went, the person voting it may have in his anxiety to have stood well with his party, declared that he voted the straight Democratic ticket, and every name on that ticket might have been that of a Democratic nominee and yet the name of Dr. Hunt not have been on the ticket.

The evidence on the part of the contestant is remarkably deficient in another particular, to wit: That they do not state facts showing the illegality of the votes attacked.

The witnesses and the contestant seemed to be content with such evidence as "I have never seen or heard of them before or since the election." "I have ascertained since the election that he did not reside in the township in which he voted." "From information and expression I am satisfied the voted the Democratic ticket." "It is notorious that William Cambridge has negro blood in his veins." "I know he has always been a Democrat." "He always votes the Democratic ticket," and the majority of the Committee also take the same view.

The undersigned believe that a fair and legitimate presumption is that Dr. Hunt was legally elected Senator from the counties of Madison and Grant, and that this presumption can only be set aside by the proof of the actual fact that illegal votes enough were given to Dr. Hunt to reverse the majority.

We do not believe that this presumption can be rebutted by inferential proof.

It seems strange to us that any person should be permitted even to testify that a certain person voted because his name appears on the poll books and that he should not having seen him vote then testify that he voted the straight Democratic ticket, yet this was done by several of the witnesses, and it is almost incredible that gentlemen acting under the solemnity of an oath should give evidence to such testimony, that the world may see that we do not mistake the evidence, we insert the strongest evidence in behalf of the contestant.

DEPOSITION OF SAMUEL MYERS.

Question. State, as near you can, about how many Irish votes were voted at said polls (Anderson) and what ticket did they vote?

Answer. About 119 voted; about 45 or 50 I was acquainted with formerly. I know the residue voted, from the fact that I repeated their names, and they appear on the poll-books. I know, from information and expression, that they vote the Democratic ticket, generally.

Q. State How long you have resided in Anderson township; how frequently, if at all, have you served on the Election Board in said township; what facilities, if any, have you for knowing the Irish voters in said township?

A. I have resided in Anderson township since 1836; I have served on the Board up to the present. My facilities are good; I have frequently hired them on public and private works, as Supervisor of Roads, seeing them vote at elections, and knowing that most of them reside in the city of Anderson, in said township.

Q. State what examination, if any, you have made of the paper marked "A"? Also state, in your answer, what persons on said paper you know to be residents of said township?

A. I examined said paper, and I know the following to be residents of said township:

Wm. Croah, Cornelius Clifford, Conny Callaban, Pat. Cary, Daniel Cochrane, Edward Dillon, John Flavous, John Flavous, Sr., John J. Kahoe, Pat. Kelley, John Lyons, John McGraw, Daniel McGraw, Pat. Marlin, D. McNelley, Peter Mahan, Pat. Mahoney, John Mulverhill, Pat. Moriarty, Pat. McGraw, Thomas Meraa, James Mahan, Pat. Merau, John Noonan, M. Crouke, Daniel Sullivan, Tim. O'Connor, James Crouke, Wm. Ryan, Michael Shehan, Jerry Sullivan, John Shay, John Welch, Larry Wallace.

The other persons named on the list I do not know.

EXHIBIT A.

<i>Names.</i>	<i>No. on Poll-book.</i>
Blance, George.....	788
Burns, Conley.....	779
Berdot, John.....	250
Croke, William.....	9
Corbett, Michael.....	22
Carmady, Michael.....	94
Conley, James	194

EXHIBIT A—CONTINUED.

<i>Names.</i>	<i>No. on Poll-book.</i>
Carmady, P.....	230
Cain, John.....	313
Cain, Patrick.....	336
Craige, John S.....	398
Callehan, Thomas.....	422
Collins, William.....	518
Collins, Morris.....	617
Cunningham, J. M.....	652
Cunningham, J. M.....	653
Crawley, John B.....	675
Costello, Daniel.....	689
Croke, Robert.....	690
Clifford, Cornelius.....	709
Callahan, Cerney.....	771
Collins, Morris.....	775
Collins, Thomas.....	782
Carey, Pat.....	784
Collins, John.....	799
Cochran, Daniel.....	815
Duffee, Peter.....	75
Doran, Nicholas.....	166
Dabbit, Peter.....	482
Doyle, Pat. C.....	488
Dillon, Edward.....	622
Dean, Pat.....	645
Dunn, Michael.....	744
Dunn, John.....	800
Eaton, Michael.....	616
Flatley, John.....	195
Flavin, John.....	219
Folan, John W.....	405
Foling, Jeremiah.....	439
Fitzpatrick, Wm.....	517
Flennerly, Dennis.....	623
Flavin, John.....	629
Fitzgerrald, John.....	641
Gwynn, James.....	342
Holland, John.....	223

EXHIBIT A—CONTINUED.

<i>Names.</i>	<i>No. on Poll-book.</i>
Huzzey, Peter	739
Heffren, Thomas	765
Heenan, Michael	769
Hogan, Patrick.....	642
Kelley, Thomas.	126
Kahoe, John J.....	580
Kerns, Thomas	297
Kelley, Pat.....	614
Kelley, Pat	631
Lyon, John.....	193
Lynon, John.....	644
Lyons, Michael.....	646
McNeal, James A.....	56
McGraw, John	85
McGraw, Daniel	129
McGraw, James.....	134
Martin, Edward	220
McNelley, D	228
Martin, Pat	229
McNeilley, James.....	258
Mohan, Peter	293
McCanley, J. H.....	302
McGraw, Daniel.....	433
McCurley, John.....	484
Mogan, Jos.....	557
Mahoney, Patrick.....	582
Melverhill, John	591
Moriarty, Pat	482
Murphy, Pat	726
McCluney, Owen	747
McGraw, Pat.....	767
Moran, Thomas.....	765
McKahn, John	810
McQuade, Michael.....	772
Maloney, James.....	785
Mohan, James	804
Moran, Pat	814
Mahoney, Jer.....	811

EXHIBIT A—CONTINUED.

<i>Names.</i>	<i>No. on Poll-book.</i>
Noenan, John	12
Nail, Joshua.....	171
Noer, George.....	414
O'Rourke, M.....	67
O'Sullivan, Dan.....	303
O'Connor, Tim	432
O'Rourke, James	714
Partington, Thomas	633
Quinone, Henry.....	469
Ryan, William	10
Ryan, Pat	71
Ren, Michael.....	234
Risley, Michael.....	696
Ryan, Martin.....	748
Ryan, Michael	809
Shehan, Michael.....	19
Sullivan, Jerry ...	62
Shea, John	74
Shinn, Robert	173
Sullivan, Tim.....	291
Shea Owen.....	191
Shehan, John.....	239
Shea, Patrick.....	304
Shinn, Thomas N.....	329
Sullivan, Pat.....	431
Sullivan, Jerry	470
Shea, Eagan	472
Sullivan, John	650
Shea, Tim	768
Stratton, James	817
Welsh, James.....	163
Welsh, John	602
Welsh, John	612
Wallace, Larry.....	813

Q. State where Thomas Kerns resided at the October election, and what ticket did he vote?

A. He told me that he lived in Fall Creek Township, near the county line, either in Marion or Hamilton county; had a family of a wife and two children; he told me that he would vote the straight Democratic ticket, and never had voted anything else and would not.

Q. State what, if anything, do you know about the Irish vote polled at said polls, at previous general elections, and how that vote compared in point of numbers with the Irish vote polled in 1866, at the October election?

A. My recollection is from 45 to 60 votes. In 1866 it was nearly double at previous elections, that I am acquainted with.

Q. State what proportion, if any, of said Irish vote were strangers to you, either by name, face, or otherwise?

A. Over one-half.

Q. State what, if anything you know about the Irish that were strangers to you, who, voted ever having been residents of said township, the manner of their voting, and what persons if any, were active in getting their votes in.

A. Fully one-half of the Irish vote polled, I have never seen before or since, to my knowledge, in said township. There were several leading democrats that were active in getting their votes in.

Q. State what facts, if any, existed by which you arrived at the the ticket they voted and what ticket was it?

A. The Republican ticket was larger and heavier paper, and thicker, and made a larger bulk when folded than the Democratic ticket. This was one means I had of knowing they voted the Democratic ticket, and also many of them from expressions at and about the polls; and further, many of them were brought to the polls by leading democrats, who took an active part in getting their votes in when doubts were raised as to their right to vote.

Q. State, if you know, what ticket Peter Duffee voted, and what, if any thing, about his age?

A. He is on the last exhibit "A," and I believe he voted the Democratic ticket, from the fact that nearly all of them did, with but few exceptions, and those exceptions I know; I have since the elections ascertained that he was under age.

Q. State if you have examined the official vote of the October

elections for 1864, 1865, and 1866; say, if so, how many votes were cast in said township?

A. I have made the examination and find in 1864, Joseph E. McDonald received 353 votes for Governor, and Oliver P. Morton received 296 votes for Governor. Total 649.

At the October election 1865, 609 votes were cast for County Clerk, of which number William C. Fleming, Democratic candidate received 284 votes, and James Hazlett, the Republican candidate received 325.

In 1866, Nelson Trusler, Republican candidate, received 340 votes, and Mahlon D. Mason, Democratic Candidate, received 474 votes, Milton F. Robinson Republican candidate for State Senator, received 338 votes, and John Hunt, Democratic candidate for the same office, received 476 votes. I find on examination, in Richland township, that the total vote was 209, of which appears by the returns, Robinson received 69 votes, and Hunt 141. The aggregate vote cast in Madison county for Senator, as appears by the Canvass sheet for Robinson, 1782, for Hunt, 2271.

Q. State what examination you have made, if any, of the poll books of Lafayette township in said county, and what names, if any, you find upon said poll books that appear upon the poll books in Anderson township.

A. I have examined to some extent the poll books of Lafayette township, and find the names of Thomas Heffren and Michael Ryan. Michael Ryan is an Irishman, and Division Master on the C. & G. Railroad and many of the hands working on the road beyond Kelley's Station, the place of voting in said township. I am satisfied from circumstances, that Michael Ryan voted the democratic ticket. A. Heffren's name is on the list marked A.

CROSS-EXAMINED.

Q. Do you know that all the names, on Exhibit A, were Irish?

A. I am pretty certain they are nearly all Irish. There may be some exceptions.

The depositions of A. D. Palmer, H. J. Brown, Isaac T. Sellers, simply reiterate the statements of Myers, but prove that Exhibit A, contains some names they do not do; but they establish the fact that at least from fifteen to thirty more than that list than those sworn to by Myers were residents of said township.

This man Myers, also swears, that one R. E. Featherington, was a deserter from the United States service.

The deposition of Featherington, herewith submitted and made a part of this deposition, proves this to be untrue.

The deposition of James Moran, herewith made a part of this deposition, shows that one hundred and twenty-five Irish were residents, voters of Anderson township, at the time of the election.

STATE OF INDIANA, }
MADISON COUNTY, } ss:

Deposition of Robert E. Featherington and James Mohan, to be read in evidence in the Senate of the State of Indiana, in a contest of the election for Senator, in the district composed of the counties of Madison and Grant, wherein Milton S. Robinson is contestant, and John Hunt is contestee.

Robert E. Featherington, being duly sworn, deposes as follows, to-wit:

Q. (By Contestee.) State your name and place of residence?

A. My name is Robert E. Featherington. I reside in Anderson, Madison county, Indiana.

Q. (By same.) State what military service you was in during the rebellion.

A. I was not in any.

Q. (By same.) State how many persons by the name of Robert E. Featherington, are in Anderson township, Madison county, Indiana?

A. None, except myself.

ROBERT ^{his} (X) E. FEATHERINGTON.
mark.

Further taking depositions adjourned until to-morrow, 11th day of December, 1866.

DECEMBER 11, 1866.

The taking of depositions is resumed pursuant to adjournment. James Mohan being duly sworn deposes as follows, to wit:

Q. State your name and place of residence.

A. My name is James Mohan. I reside in Anderson Township, Madison County, Indiana.

Taking depositions adjourned until to-morrow Dec. 12, 1866.

DECEMBER 12, 1866.

The taking of deposition is resumed pursuant to adjournment.

Q. State whether you are acquainted with the Irish voters of Anderson Township, Madison County, Indiana, and what facilities you have for knowing that vote.

A. I am acquainted with nearly all of them. My facilities for being acquainted with them are these:

1st. I am an Irishman myself.

2nd. I have resided here for about fourteen or fifteen years.

3rd. I attend their place of worship. I am necessarily thrown among them a great deal. During the campaigns preceding the October elections of 1866, I was a candidate myself, and took special pains to become acquainted with all the voters of the county, more especially of this township.

Q. State, as near as you can, the number of Irish voters in Anderson Township, Madison County, Indiana.

A. About one hundred and twenty-five or fifty all the time.

Q. State what examinations you have made of the poll books of Anderson Township of the October election of 1866, and if so, how many Irish voters there are whose names appear on said poll book?

A. I looked over the poll books and called over all the names I knew, or supposed to be Irish, I find one hundred and nine names, one Englishman. (See exhibit marked A, made part of my deposition,) ninety-eight of them I believe I am acquainted with.

CROSS-QUESTION BY CONTESTOR.

Q. There might have been other Irish voted and you not know it?

A. Of course there might.

Q. You ascertain the number and names from examination of the poll books and not from actual knowledge?

A. I do.

Q. Your acquaintance with the ninety-seven alluded to is a matter of opinion and not of certain knowledge?

A. Positively I am acquainted with the most of them, and I think with all the ninety-seven.

Q. If there are any other Irish who voted in said township, whose names are not on said list marked, "Exhibit A," you are not acquainted with them?

A. I think not.

Q. Do you know any other Irish in said township that voted at said election, than those enumerated in list "Exhibit A?"

A. I can think of none at present.

Q. You don't know that Owen Shea, Thomas Callihan, Michael Ealon, Dennis Flannery, Patrick Hogan, Michael Riley, Philip Kearns, John Flatley and Conda Burns, were residents of said township at the time of said election?

A. I don't know that they were.

Q. How many of those marked on "Exhibit A," ever voted in said township, before the October election 1866?

A. I do not know.

Q. What do you mean by the phrase voter?

A. Those who I believe are entitled to vote.

Q. What do you understand by a legal voter, if a foreign born subject?

A. A person who has resided in the United States one year, and in the State of Indiana six months, and declared his intention to become a citizen of the United States.

Q. Do you know of your own knowledge, that the ninety-seven referred to, have resided in the United States one year, six months in the State of Indiana, and declared their intention to become citizens of the United States?

A. I do not.

Q. State whether the Irish voted for John Hunt for Senator, or not?

A. I think all but one did, of the ninety seven.

Q. How long was you a candidate before the October election?

A. About two months.

Q. Is not your acquaintance from the men told you themselves and others, and not from actual knowledge?

Objected to by contestee.

A. I state what I believe to be true, from actual knowledge and observation.

Q. How many of the persons on "Exhibit A," are in said township at this time?

A. I don't know.

Q. Are you a Roman Catholic in belief, and if so, how were you sworn?

A. I am a Roman Catholic in belief, and was sworn in the usual

way; took the ordinary oath, required by the statute of the State of Indiana.

Q. Did you ever belong to any secret political Society, either the Knights of the Golden Circle, or the Sons of Liberty?

A. I decline answering the interrogatory.

Q. Were your sympathies during the war in favor of its prosecution under the policy of Lincoln's administration, or against it?

Objected to by the contestee.

A. I was not in favor of Lincoln's policy—was always in favor of the enforcement of the laws, and obeyed the laws.

Q. Did you regard the prosecution of the war under Lincoln's policy, as a violation of the laws?

Objected to by Contestee.

A. I am not prepared to answer that question.

Q. What is your age, and at what period did you come to America?

A. I am twenty-seven years old; came to the United States in the year 1848.

Q. Have you ever been naturalized as a citizen of the United States?

(Objected to by Contestee.)

A. I have been.

Q. Who did you vote for for Senator, at the October election in 1866?

A. I voted for John Hunt.

Q. Did the political views of John Hunt coincide with yours during the war?

A. They did, so far as known to me.

RE-EXAMINATION BY CONTESTEE.

Q. State whether the persons named in Exhibit A, are residents of Anderson township at this time?

A. I think the principal portion of them are.

Signed,

JAMES MOHAN.

STATE OF INDIANA, }
MADISON COUNTY, } ss:

I, John C. Jones, Mayor of the city of Anderson, do hereby certify, that the above and foregoing depositions were taken by me at my office in the city of Anderson, on the 10th, 11th and 12th days

of December, 1866, between the hours of 8 A. M. and 8 P. M. of said days; that said deponents were by me first duly sworn to tell the truth, the whole truth, and nothing but the truth; the same was reduced to writing by me, except the latter part of the deposition of James Mohan, which was written by R. W. Williams, at my request, and consent of the parties; that said deponents signed their names to the same after they had been carefully read to them; that at the taking of said depositions the said John Hunt was present, by H. D. Thompson his attorney; and the said Milton S. Robinson was present in person at the said deposition: and the said depositions were so taken at said place on said day, agreeable in all respects to the annexed notice.

Witness my hand and seal this January 17th, 1867.

JOHN C. JONES,

Mayor of the city of Anderson.

It is claimed by the contestant, and his friends, that there were a number of men who were deserters from the service of the United States, who were drafted and never reported, who were enrolled and fled the country to avoid the draft, who voted the straight Democratic ticket, and therefore inferentially voted for Dr. Hunt, and whose votes were illegal and therefore the number of such ought to be deducted from the vote of Dr. Hunt.

A law of Congress declaring that such persons should forfeit all their rights as citizens of the United States, and should not hold any offices of trust and profit under the Federal Government, or exercise any of the rights of citizens of The United States, is cited to prove or establish the illegality of these votes, upon the wording of the law itself the position is not tenable.

Such a construction would be a forced and unnatural one and against the entire policy and practice of the Government of the United States and of every State in the Union, from the organization of the Government down to the present, Congress has never, unless it has in this instance, attempted to determine the qualification of voters in any or all of the States, this right has been conceded to each State, and has been independently exercised by each, since the writing of the above report of the majority of the committee has been made, and we see that they claim not to have counted these votes as against Dr. Hunt. We are glad to perceive that it was not necessary to trample down our State election laws, and while it

leaves the report with less, even securing foundation, it is an agency that the new fangled and dangerous theory of entire supremacy of the United States Government and the destruction of the State Government is not so readily to be embraced, and gives hope that with returning reason, the good old doctrines which brought peace, unity, strength and prosperity to our beloved country will again govern it. As the question is by the report of the Committee narrowed down to the Irish vote, we call particular attention to the fact, that not a single witness has testified that men of names contained on "Exhibit A," of Samuel Myers' deposition were actually seen by the witness not a single witness testifies that he saw even a single ticket of any one of those named on said exhibit, and that the name of John Hunt for Senator, was thereon, and not a poll book was introduced to show that the men named on said exhibit actually did vote. Why was the best legal evidence not introduced?

The majority of the committee say that there was double voting. The undersigned, with a full knowledge of the facts before them, say that there is not one particle of legal evidence in this case showing any such state of facts; and as a sample of the evidence on this point we transcribe the following from the evidence of the very swift witness Samuel Myers, Esq., who deserves a pension for the readiness with which he swears. Speaking of Michael Ryan and Thomas Heffern, who voted in Anderson Township, and who, it is claimed, also voted in Lafayette Township, he says: "I know they voted in Anderson Township; I only know that the same names appear on the poll books of Lafayette Township, and no place are the men of that name who voted in each of the townships identified as the same persons. This same witness attacks the vote of Thomas Kerns, who, he says, told him that he (Kerns) lived in Pipe Creek township. No place does he say that the same Thomas Kerns voted in Anderson township, and he could not have been, for if he were, this excellent witness would not have relied upon Kerns's statement as to how he would vote; but would, as a judge of the election, have known, as he attempts to create the impression that there was a marked difference in the paper of the tickets. In fact he does not swear that he voted at all, and their very intelligent and honest witness, who is to swear away the right of Senator Hunt—although he says that Kerns told him that "he resided in Fall Creek township" in the very next breath, says that that township is either in Madison or Hamilton counties. This valuable witness also swears, "I have since the election, ascer-

tained that he (Peter Duffee) was under age." How he ascertained it, —whether by legal evidence or hearsay, he does not give us the privilege of knowing, but we presume that either would be amply sufficient for him to swear upon, at least he is willing to swear that he believes that Peter Duffee voted the Democratic ticket, because nearly all of them did. The whole testimony against the Irish vote consists of the fact that the contestant has been able to get some four men of the stamp of Samuel Myers to swear that they did not know about sixty of these Irish. We presume they did not, and we say that the evidence did not show that they were not legal voters, nor does it show how they voted for Senator. The contestee produces the deposition of the County Recorder, himself an Irishman, who swears that there were over 127 Irish voters in said township at the time of the election, and that he is personally acquainted with 97 on exhibit "A," of Myers's deposition. This ought to be conclusive. It is singular that Myers, under oath as one of the judges, did not attempt to prevent this great illegal voting. If he knew at all that they were illegal, he knew it then. No credit or faith ought to be given to such testimony.

As returned, the vote showed for Senator Hunt 3,638; for Robinson 3,619. Duck Creek Township was omitted, and the vote as actually given shows Hunt 3,706; for Robinson 3,654 votes, being a clear majority of 52 votes for Hunt. The minority think that a man's vote should not be rejected because it is notorious that he has negro blood in his veins, for the reason that the law only disqualifies such as have one-eighth or more negro blood. The undersigned are opposed to negro suffrage, but they are not accountable for the fact the law only disqualifies such as have one-eighth or more of negro blood. Although it was known that it would not delay the report of the committee a day, the majority of the committee refused to hear parol testimony on behalf of the contestee, which would have proven, in addition to the testimony of James Mohan, whose deposition is a part of this report, that all the Irish votes polled at said Township of Anderson were legal.

Not a single provision of the law of contesting elections has been complied with, so far as the contestant is concerned. He did not appear before the Board of Justices appointed under the law to take the evidence, and yet the only evidence of any kind at all before the committee of the giving of any notice of contest in the very commission issued to two Justices, and before whom the contestant refused to appear for the purpose of taking evidence. That commis-

sion has never been forwarded by those Justices, and is not legally here. The undersigned do not agree with the majority that one illegal vote was proven to have been given to Milton S. Robinson. We know of no evidence authorizing any such statement, and we protest against the report in order to have a show of fairness, assuming as proven a fact not claimed by Dr. Hunt or his friends.

Believing the evidence wholly insufficient the undersigned would respectfully recommend the adoption of the following resolution:

Resolved, That Milton S. Robinson, contestant in the election case of Milton S. Robinson against John Hunt for a seat in the Senate of Indiana from the district composed of the counties of Madison and Grant, is not entitled to said seat, and that his contest therefore be and the same is hereby dismissed.

T. G. LEE,
WILLIAM TAGGART,
THOMAS GIFFORD.

Mr. Oyler offered the following resolution:

Resolved, That Milton S. Robinson, who claims to have been duly elected as a Senator in this General Assembly from the counties of Madison and Grant, be admitted to the floor of the Senate during the trial of the cause in which he is contestor and John Hunt is contestee, and that the said Milton S. Robinson be allowed to address the Senate upon the question of his right to be admitted to the General Assembly as the Senator for the district composed of the counties of Madison and Grant.

Which was agreed to.

On motion by Mr. Cullen, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names:

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Church, Cravens, Cullen, Cumback, English, Houghton, Hawk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Smith, Staggs, Stein, Taggart, Thompson, Ward, Wolcott, and Vawter—38.

On motion by Mr. Oyler, a further call of the Senate was dispensed with.

Mr. Hanna moved to postpone the further consideration of the Special Order until Monday next at 2 o'clock, P. M., and that it be made the Special Order for that hour.

Mr. Richmod moved to lay the motion to postpone on the table.

The ayes and noes being demanded by Messrs. Mason and Richmond,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward and Wolcott—27.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Hanna, Howk, Huey, Huffman, Humphreys, Lee, Mason, Newlin, Sherrod, Smith, Staggs, Taggart and Turner—17.

So the motion to postpone was laid on the table.

The question being, shall the report of the Committee on Elections be concurred in?

Mr. Hanna moved to recommit the report to the Committee on Phraseology and Arrangement of Bills.

Mr. Cullen moved to lay the motion to recommit on the table.

The ayes and noes being demanded by Messrs. Hanna and Richmond,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Church, Cravens, Cullen, Cumback, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward and Wolcott—27.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Hanna, Howk, Huey,

Huffman, Humphreys, Lee, Mason, Newlin, Sherrod, Smith, Staggs, Taggart and Turner—17.

So the motion to recommit was laid on the table.

Pending the consideration of the Special Order,

On motion, by Mr. Oyler, the Senate adjourned.

FRIDAY MORNING, 9 o'clock, }
January 25, 1867. }

The Senate met.

On motion by Mr. Cravens, the reading of the Journal was dispensed with.

The consideration of the Special Order pending at the adjournment on yesterday, was resumed.

Pending the consideration of the Special Order,

On motion by Mr. Richmond, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names:

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Hawk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Sherrod, Smith, Staggs, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—43.

On motion by Mr. Richmond, the further call of the Senate was dispensed with.

The Senate resumed the consideration of the special order of the day.

Mr. Cravens offered the following as a substitute for the second resolution reported by the Committee on Elections:

Resolved, That the parties to said contest be and they are hereby directed to file with the Committee on Claims the charges they may respectively have for expense legitimately incurred in said contest, not to exceed one hundred dollars to each.

Which was agreed to.

Mr. Richmond moved the previous question on the matter pending.
Which motion was seconded by the Senate.

The question being, shall the main question now be put?
It was agreed to.

The question being, shall the minority report be concurred in?

The ayes and noes being demanded by Messrs. Bennett and Hanna.

Those who voted in the affirmative were,

Messrs. Armstrong, Bowman, Carson, English, Gifford, Howk, Huey, Huffman, Humphreys, Lee, Mason, Sherrod, Smith, Staggs, Taggart and Turner—16.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Terry, Thompson, Ward, Wolcott and Mr. President—28.

So the minority report was not concurred in.

The question then being, shall the report of the Committee on Elections be concurred in?

It was agreed to.

The question recurring upon the adoption of the resolutions reported by the Committee on Elections.

The ayes and nays were demanded by Messrs. Bennett and Hanna.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Johnson, Kin-
S. J.—12.

ley, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Terry, Thompson, Ward, Wolcott and Mr. President—28.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Lee, Mason, Sherrod, Smith, Staggs, Taggart and Turner—17.

Mr. Hanna was excused from voting.

So the resolutions were adopted.

Mr. Oyler moved to reconsider the vote by which the report was concurred in, and the resolutions adopted.

Mr. Bennett moved to lay the motion to reconsider on the table.

Which was agreed to.

Hon. Milton S. Robinson, Senator elect from the counties of Madison and Grant, then presented himself, was sworn into office by the President of the Senate, took his seat and entered upon the discharge of his duties.

By consent of the Senate Mr. Hanna offered the following resolution:

Resolved, That when the Senate adjourns, it will adjourn to meet at 2 o'clock, P. M., on next Monday.

Mr. Bennett moved to lay the resolution on the table.

Which was agreed to.

The President laid before the Senate the following communication, with the accompanying report of the Trustees of the Wabash and Erie Canal:

TRUSTEES OFFICE WABASH AND ERIE CANAL, }
TERRE HAUTE, January 22, 1867. }

HON. WILL CUMBACK,

President of the Senate:

SIR—I have the honor to transmit the annual report of the Board

of Trustees of the Wabash and Erie Canal for the year 1866, and respectfully request that you lay the same before the Senate.

Very respectfully,

D. M. DUNN,

Trustee of Wabash and Erie Canal.

On motion by Mr. Wolcott the report was laid on the table, and five hundred copies ordered to be printed for the use of the Senate.

On motion by Mr. Bellamy, the following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following concurrent resolution, and accompanying address, to-wit :

Resolved, (The Senate concurring,) That the General Assembly of Indiana respond to the resignation of Governor O. P. Morton by the following address:

GOV. MORTON :

It is with sentiments of high esteem for you personally, and approval of your administration, and full confidence in your ability and capacity to render distinguished service to the country in the new position to which you have been chosen, that the General Assembly part with you as the Executive of the State. You will bear with you our sincere wishes for your health and happiness, and our hopes that you may long continue your career of influence in the public service, and receive, as you will certainly merit, renewed proofs of the confidence and favor of the people.

In the person of your successor, Gov. Baker, we recognize an approved and faithful officer of distinguished ability and unquestioned patriotism to whose hands may well be intrusted the important powers of the Executive office.

Appreciating his worth and abilities, we congratulate the people of the State, that the action of this General Assembly in transferring you to another field of labor in the public service, leaves their interests in safe and loyal hands.

Mr. Bellamy moved to concur in the resolution and address contained in the message.

Which was agreed to.

Mr. Cullen moved that the Senate adjourn.

Which was not agreed to.

The President laid before the Senate the report of the State Librarian.

On motion by Mr. Bennett, the report was referred to the Committee on the State Library.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed to inform the Senate, that the House has concurred in the amendments of the Senate to the amendments of the House to Senate bill No. 26, "a bill appropriating seventy-five thousand dollars to defray the expenses of the forty-fifth session of the General Assembly."

On motion by Mr. Cullen, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Stein presented a memorial from sundry citizens of Indiana asking an enactment of a law creating a School Board in each county.

Which, on motion by Mr. Stein, was referred to the Committee on Education.

Mr. Kinley presented a memorial from the Yearly Meeting of Friends, asking that the Thirteenth Article of the Constitution be declared of no force, and that the statutes enforcing it be repealed.

Which, on motion by Mr. Kinley, was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Kinley presented a memorial from a Yearly Meeting of Friends, asking that Houses of Refuge be provided for juvenile offenders.

Which, on motion by Mr. Kinley, was referred to the Special Joint Committee on House of Refuge.

Mr. Kinley presented a petition from a Yearly Meeting of Friends on the subject of Temperance.

Which, on motion by Mr. Kinley, was referred to the Committee on Temperance.

Mr. Kinley presented a memorial from the Indiana Yearly Meeting of Friends, asking that the benefits of the school laws be extended to colored children.

Which, on motion by Mr. Kinley, was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Ward presented a petition from sundry citizens of Indiana on the subject of Temperance.

Which, on motion by Mr. Ward, was referred to the Committee on Temperance.

Mr. Rice presented a petition from sundry citizens of Indiana on the subject of Temperance.

Which, on motion by Mr. Rice, was referred to the Committee on Temperance.

Mr. Bellamy presented a petition from numerous citizens of Indiana, on the subject of Temperance.

Which, on motion by Mr. Bellamy, was referred to the Committee on Temperance.

Mr. Wolcott presented a petition from sundry citizens of Indiana, asking that an appropriation be made for the purpose of having Blackford's Reports re-printed.

Which, on motion by Mr. Wolcott, was referred to the Committee on the Judiciary.

REPORTS OF STANDING COMMITTEES.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 28, a bill to amend section 18 of an act entitled "An act prescribing the powers and duties of Justices of the Peace in State prosecutions," have directed me to report it back to the Senate and recommend its passage.

Which report was concurred in.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 43, a bill to amend section fifteen of an act entitled "An act to provide for the opening, vacating, and change of highways," approved June 17, 1852, have had it under consideration, and recommend its passage.

Which report was concurred in.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred a second time Senate bill No. 12, "A bill for the correction of mistakes in conveyances where a married woman is a party," now recommend that the following words which were stricken out be re-instated ; that is to say, "In any suit or proceeding in which such conveyances have or shall come in question," and when so amended they recommend the passage of the bill.

Which report was concurred in.

Mr. Mason, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 42—a bill defining what counties shall constitute the Seventh Judicial Circuit and fixing the time of holding the Courts therein—beg leave to report the same back to the Senate, and recommend that the same be referred to the Committee on the Organization of Courts.

Which report was concurred in.

Mr. Mason, from the Committee on the Judiciary, to whom was referred Senate Bill No. 48, entitled an act to amend an act entitled "An act for the punishment of officers of elections for the refusing, or neglecting to receive the votes of legal voters," instruct me to report the same back to the Senate and recommend that it be indefinitely postponed.

The question being shall the report of the Committee be concurred in.

The ayes and noes being demanded by Mr. Cullen and Oyler.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bowman, Cason, Carson, Church, Cravens, Gifford, Hanna, Hawk, Huey, Huffman, Humphreys, Johnson, Mason, Newlin, Niles, Parrish, Rice, Sherrod, Smith, Staggs, Taggart, Terry, Thompson, Turner, and Ward—28.

Those who voted in the negative were,

Messrs. Bellamy, Bonham, Brown, Cullen, Houghton, Hyatt, Jaquess, Kinley, Noyes, Oyler, Reynolds, Richmond, Robinson, Stein, and Wolcott—15.

So the report of the Committee was concurred in, and the bill indefinitely postponed.

Mr. Stein, from the Committee on Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 23, introduced by Senator Oyler and entitled. A bill to amend an act entitled "An act defining felonies and prescribing punishment therefor," approved June 10, 1852, have had the same under consideration and now report it to the Senate with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Bennett, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 19—a bill to provide for the revision and consolidation of the statutes—beg leave to report that they have had the same under consideration, and decided to refer the same to the Senate, with a recommendation that said bill be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Stein, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 35, entitled "a bill to amend sections nineteen and twenty of an act entitled an act defining felonies and prescribing punishment therefor, approved June 10th, 1852, defining the offenses of grand and petit larceny, and prescribing the punishment therefor," have had the same under consideration and now report it to the Senate, recommending the following amendments thereto:

1st. Striking out the word "twenty" from the fourth line of the second page.

2d. Striking out the words "one year" from the tenth line of the second page, and inserting instead thereof the words "six months."

3d. Striking out the word "twenty" from the twelfth line of the third page.

Said amendments being adopted, the committee recommend the passage of the bill.

Which report was concurred in, and the amendments adopted.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 42, entitled "a bill to prevent the breaking of a quorum in the General Assembly, and prescribing punishment therefor," have had the same under consideration, and now report the same back to the Senate, with a recommendation that said bill pass.

Mr. Howk moved to make the report and bill the special order for February 4th, at 2 o'clock P. M.

Which was agreed to.

Mr. Howk, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 32, entitled "an act to provide for issuing *capias ad satisfaciendum*, when in action for replevin of personal property, defendant shall fraudulently conceal, remove, transfer, withhold, or refuse to deliver said property, and providing the manner of proceedings to obtain said writ in certain cases therein specified," have considered the same, and recommend that the said bill be amended by striking out of the thirteenth line the figures and letters following, to-wit : "2 G. & H. pp. 55, 56," where they occur, and by inserting in lieu thereof, the words and figures following, to-wit :

"Of an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice, in a uniform mode of pleading and

practice, without distinction between law and equity, approved June 18th, 1852;" and when so amended, they recommend that the bill be passed.

Which was concurred in, and the amendments adopted.

Mr. Howk, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 44—a bill to amend an act entitled "An act to prevent emigration from any other State into this State or from one county or township in this State into another county or township in this State, for the purpose of influencing or carrying the election in such other county or township, and prescribing penalties against persons acting, abetting, counseling, or engaging therein, approved March 6, 1857," having considered the same, report said bill back to the Senate, and recommend that it be referred to the Committee on Elections.

Which report was concurred in.

Mr. Rice, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee to whom was referred Senate bill No. 49, entitled "An act requiring the Clerks of the Circuit and Common Pleas Courts of this State to index the records in their offices and providing compensation therefor," have had the same under consideration, and direct me to report in favor of its indefinite postponement.

Mr. Bennett moved to refer the bill and report to a special committee of three with instructions to report an amendment, "Allowing County Commissioners the power to authorize the making of indexes, in counties where such indexes are not already made, and to authorize the same to be paid for out of the County Treasury of such county."

Mr. Terry moved to lay the motion to re-commit with instructions on the table.

Which was agreed to.

The question then being, shall the report of the Committee be concurred in.

The ayes and noes were demanded by Messrs. Bennett and Cullen.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bonham, Brown, Carson, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Mason, Niles, Rice, Sherrod, Staggs, Taggart, and Terry—23.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Cason, Church, Cullen, Lewis, Noyes, Oyler, Parrish, Reynolds, Richmond, Robinson, Smith, Stein, Thompson, Turner, Ward, and Wolcott—18.

So the report of the Committee was concurred in, and the bill indefinitely postponed.

Mr. Rice, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee to whom was referred Senate bill No. 33, entitled an act to amend sections 10, 13, 14, 15, 16, 17, and 18, of an act entitled "An act regulating the fees of officers and repealing former acts in relation thereto," approved March 2, 1855, have had the same under consideration and a majority of said Committee direct me to report the bill to the Senate and recommend its passage.

The report was concurred in.

Mr. Ward, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

The Committee on Roads, to whom was referred Senate bill No. 38, a bill to amend section No. 20 of an act entitled "An act to amend

an act entitled an act providing for the election or appointment of Supervisors of highways and prescribing certain of their duties and those of county and township officers in relation thereto," approved January 20, 1865, have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend its passage.

Which was concurred in.

Mr. Oyler, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 62, offered by Senator Jaquess, have had the same under consideration, and having duly considered the same, have instructed me to report as follows:

Amend section first, by inserting in the fourth line immediately after the word "follows," the words "to-wit," and the words "section forty-nine."

Amend the same section, in the sixth line thereof, by inserting the word "shall" immediately after the word "sale."

Strike out the word "so," in the fifteenth line of said section, immediately after the word "hereby," and strike out the word "as," in the sixteenth line of said section, immediately after the word "amended," and insert in the sixteenth line, immediately after the word "follows," the words "to-wit," and "section forty-nine."

Insert in the eighteenth line, immediately after the word "sale," the word "shall."

Add at the end of said first section as follows: Provided, there be no newspaper published in such county the number of notices herein provided for shall be seven.

Amend second section by inserting in the third line, immediately after the word "follows," the words "to-wit," and the words "section one hundred and forty-eight," and by striking out the words "so as," immediately after the word "amended," in the sixteenth line, and insert in the same line, immediately after the word "follows," the words "to-wit."

Strike out the amended section, and insert in lieu thereof the following section :

Section 148. Every executor or administrator shall be allowed upon the personal estate, accounted for by him, a commission as follows : where the amount does not exceed one thousand dollars, five per cent ; where the amount is over one thousand and under four thousand dollars, five per cent on the first thousand and three per cent on the residue ; and on all sums exceeding four thousand dollars, on such excess the amount of one per cent only.

Amend the title by adding thereto, "approved June 17th, 1852." And when so amended recommend its passage.

Which report was concurred in.

Mr. Bellamy, from the Committee on the Organization of Courts, made the following report :

Mr. PRESIDENT :

The Committee on the Organization of Courts, to whom was referred Senate bill No. 36, a bill to amend "an act to provide for the appointment of a Sheriff of the Supreme Court, and prescribing certain of his duties and fees, approved May 13th, 1852," have had the same under consideration, and instructed me to return it to the Senate, with the following recommendations :

Amend section one by inserting "section one," in the first line immediately before the words "Be it enacted." Amend same section in the eighth line, by striking out the words "two thousand," and inserting in lieu thereof "twelve hundred," immediately after the word "of." Also amend by striking out all after the twelfth line, and insert the following :

Section 2. Inasmuch as there is now no law in force, providing adequate compensation for said officer, an emergency is hereby declared to exist for the immediate taking effect of this act, therefore the same shall take effect and be in force from and after its passage.

Amend the title of said act by inserting after the word "amend," in the first line thereof, the words, "an act entitled," and when so amended, recommend its passage.

Which was concurred in.

Mr. Cason, from the Committee on Federal Relations, made the following report :

MR. PRESIDENT :

The Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 2, introduced by Mr. Carson, entitled "A joint resolution in relation to a Ship Canal connecting Lake Erie and Lake Ontario," have had the same under consideration, and have instructed me to report said resolution back to the Senate and recommend that the same do pass.

Which report was concurred in.

Mr. Church, Chairman of the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 30, "A bill to provide for the protection of fish," have had the same under consideration, and direct me to report the bill to the Senate, and with the following amendments recommend its passage :

Amend by striking out all between the words "between" and "year" inclusive, in the fifth and third lines from the bottom of first page, and inserting the following : "For the period of two years from and after the taking effect of this act, and at all times thereafter, between the first day of May and the first day of September of each year."

Amend in seventh line from bottom by inserting after the word "trap" the word "seine;" and in second line from bottom by inserting the word "seining" after the word "trapping."

Which report, with amendments, was concurred in.

Mr. Gifford, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 6, a bill to amend section fifteen of an act entitled "An act providing for and regulat-

ing the relation of master and apprentice," have had the same under consideration, and have instructed me to report the bill back to the Senate and recommend that it lie on the table.

Mr. Bellamy moved to recommit the bill and report to same committee.

Which was agreed to.

Mr. Huey, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report:

MR. PRESIDENT:

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 73, "A bill to regulate and make uniform the prices of freights upon Railroads in this State," have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, and recommend its passage.

Which report was concurred in.

Mr. Church, Chairman of the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report:

MR. PRESIDENT:

A majority of the Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 11, a bill to repeal an act entitled "An act to enforce the 13th Article of the Constitution," have had the same under consideration, and direct me to report the same, with a recommendation that it pass.

Mr. Oyler moved that the report of the committee be concurred in.

Mr. Hanna moved to lay the motion to concur on the table.

The ayes and noes being demanded by Messrs. Cullen and Hanna,

Those who voted in the affirmative were,

Messrs. Barker, Carson, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Jaquess, Lee, Mason, Newlin, Smith, Staggs, Taggart, and Turner—16.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Hyatt, Johnson, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—27.

So the motion to lay upon the table did not prevail.

The question recurring on the motion to concur in the report of the committee,

Mr. Hanna moved to recommit the bill and report to the Committee on the Judiciary.

Mr. Cullen moved to lay the motion to recommit on the table.

The ayes and noes being demanded by Messrs. Cullen and Mason,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Hyatt, Johnson, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Barker, Carson, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Jaquess, Lee, Mason, Newlin, Smith Staggs, Taggart, and Turner—16.

So the motion to recommit was laid on the table.

The question being, "Shall the report of the committee be concurred in?"

Mr. Cullen moved the previous question.

Which was seconded by the Senate.

The question being, "Shall the main question now be put?"

The ayes and noes were demanded by Messrs. Hanna and Mason.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, and Wolcott—26.

Those who voted in the negative were,

Messrs. Barker, Carson, Gifford, Hanna, Huey, Huffman, Humphreys, Jaquess, Lee, Mason, Newlin, Smith, Staggs, Taggart, and Turner—15.

So the main question was ordered.

The question then being, "Shall the report of the committee be concurred in?"

The ayes and noes being demanded by Messrs. Hanna and Mason.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Hyatt, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, and Wolcott—25.

Those who voted in the negative were,

Messrs. Barker, Carson, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Jaquess, Lee, Mason, Newlin, Smith, Staggs, Taggart, and Turner—16.

So the report was concurred in.

RESOLUTIONS.

Mr. Cullen offered the following resolution:

Resolved, That when the Senate adjourn, it be to meet on Monday, the 28th prox., at 2 o'clock P. M.

Mr. Church moved the following amendment:

Resolved, That when the Senate adjourns it be until to-morrow morning at nine o'clock.

Mr. Cullen moved to lay the amendment on the table.

Which was agreed to, and the amendment was laid on the table.

The question recurring, shall the resolution be adopted?

It was agreed to.

Mr. Niles offered the following resolution :

Resolved, That the Committee on the Judiciary be authorized to employ a Clerk.

Which was agreed to.

Mr. Cravens offered the following resolution :

Resolved, That the State Librarian be and he is hereby authorized to place upon the chimney connecting the enrolling room of the Senate, a revolving pipe, with a vane on the top of the flue, so that the mouth of the pipe will be from the wind; also a tin protection around the pipe in said room, to prevent the soot from being blown into said room.

Which was agreed to.

Mr. Kinley offered the following resolution :

Resolved, That the Committee on Benevolent Institutions be authorized to employ a Clerk.

Mr. Cravens moved to amend the resolution by inserting after the words " Benevolent Institutions," the words " and the Committee on Corporations each."

The question then being on the adoption of the amendment to the resolution.

The ayes and noes were demanded by Messrs. Bonham and Church.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Cason, Carson, Cravens, Cullen, Gifford, Hanna, Houghton, Huey, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Reynolds, Richmond, Robinson, Stein, Taggart, Thompson, Ward, Wolcott, and Mr. President—30.

Those who voted in the negative were,

Messrs. Barker, Bonham, Brown, Church, Huffman, Humphreys, Hyatt, Rice, Staggs, and Turner—10.

So the amendment was adopted.

The question then being upon the resolution as amended.

It was agreed to.

Mr. Wolcott offered the following resolution :

Resolved, That the Committee on Finance be authorized to employ a Clerk.

Which was agreed to.

Mr. Oyler asked and obtained leave of absence for Mr. Hyatt.

Mr. Bellamy asked and obtained leave of absence for Mr. Robinson.

BILLS INTRODUCED.

Mr. Thompson introduced

Senate bill No. 90. A bill to provide for the sale of certain land therein named; to provide for the erection and management of a House of Correction, and for the conviction and punishment of juvenile offenders.

Which was read a first time, and,

On motion by Mr. Thompson, referred to the Special Joint Committee on the House of Refuge.

Mr. Cason introduced

Senate bill No. 91. A bill to assert the control of the State over Railroad Corporations; to fix the rates of freight, and to prevent extortions, and to provide rules and by-laws for such roads, and the punishment for the violation thereof, and to provide for the licensing of locomotive engineers.

Which was read a first time, and,

On motion by Mr. Cason, the bill was laid on the table, and one hundred copies ordered to be printed for the use of the Senate.

Mr. Johnson introduced

Senate bill No. 92. A bill to amend the 5th clause of section twenty-two of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852.

Which was read a first time, and,

On motion by Mr. Johnson, referred to the Committee on Corporations.

Mr. Brown introduced

Senate bill No. 93. A bill to amend section one of an act entitled "An act concerning interest on money," approved May 27, 1852.

Which was read a first time, and,

On motion by Mr. Brown, referred to the Committee on the Judiciary.

Mr. Church introduced

Senate bill No. 94. A bill to provide for the protection of fur bearing animals.

Which was read a first time, and,

On motion by Mr. Church, referred to the Committee on Swamp Lands.

Mr. Reynolds introduced

Senate bill No 95. A bill to amend an act entitled "An act providing for the election or appointment of Supervisors of Highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859; approved December 20, 1865.

Which was read a first time, and,

On motion by Mr. Reynolds, referred to the Committee on County and Township Business.

Mr. Mason introduced

Senate bill No. 96. A bill to amend the seven hundred and six-

teenth section of an act entitled an act concerning the writ of habeas corpus.

Which was read a first time, and,

On motion by Mr. Mason, referred to the Committee on the Judiciary.

Mr. Niles introduced

Senate bill No. 97. "A bill designating certain holidays, and relative to negotiable paper falling due thereon."

Which was read a first time, and,

On motion by Mr. Niles, referred to the Committee on the Judiciary.

Wr. Kinley introduced

Senate bill No. 98. A bill making specific appropriations for the support of the benevolent institutions.

Which was read a first time, and,

On motion by Mr. Bellamy, referred to the Committee on Benevolent Institutions.

Mr. Thompson introduced

Senate bill No. 99. A bill giving creditors of persons, who are insured and burn out a lien on policies of Insurance for their debts.

Which was read a first time, and,

On motion by Mr. Thompson, referred to the Committee on the Judiciary.

Mr. Jaquess introduced

Senate bill No. 100. A bill limiting the liability of Inn Keepers.

Which was read a first time, and,

On motion by Mr. Jaquess, referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Church introduced

Senate bill No. 101. A bill to amend section five of an act entitled "An act to provide for the more uniform mode of doing Township business; prescribing the duties of certain officers in connection

therewith, and to repeal all laws conflicting with this act," approved February 18, 1859.

Which was read a first time, and,

On motion by Mr. Church, referred to the Committee on County and Township business.

Mr. Bennett introduced

Senate bill No. 102. A bill to provide for the custody, and management of the notes, bonds and mortgages arising directly out of loans heretofore made by the Board of Sinking Fund Commissioners. To continue in force all laws or parts of laws—in force on the 20th day of January 1867, which are applicale to said loans and the securities therefor; to clothe said Auditor with the powers and subject him to the duties in relation to said loans and securities therefor, which by said laws are vested in or imposed upon said Board of Sinking Fund Commissioners; to provide for the incidental expenses of the management of said loans and securities, including clerk hire, and for the mode and period of the payment of said allowance for expenses, substituting the seal of the Auditor of State, for that of the Board of Sinking Fund Commissioners, and declaring an emergency for the immediate taking effect of this act.

Which was read a first time, and,

On motion by Mr. Bennett, referred to the Committee on Education.

Mr. Thompson introduced

Senate bill No. 103. A bill to prevent persons from injuring or destroying insured property, and from making false proofs thereof; prescribing penalties for the same.

Which was read a first time, and,

On motion by Mr. Thompson, referred to the Committee on the Judiciary.

Mr. Wolcott introduced

Senate bill No. 104. A bill conferring upon Bishops, certain corporate powers, and defining and limiting their rights, powers and duties.

Which was read a first time, and,

On motion by Mr. Wolcott, referred to the Committee on Corporations.

Leave of absence was granted to Mr. Vawter.

Mr. Bennett asked, and obtained leave of absence for Mr. Howk.

By consent of the Senate,

Mr. Bennett moved to reconsider the vote concurring in the report of the Committee on the Judiciary, indefinitely postponing Senate bill No. 19—a bill to provide for the revision and consolidation of the Statutes of Indiana.

Which was agreed to.

And on motion by Mr. Bennett, the report and bill were laid on the table.

On motion by Mr. Gifford, the Senate adjourned.

MONDAY AFTERNOON, 2 O'CLOCK, }
January 28, 1867. }

The Senate met.

The journal of Friday was read.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to wit :

Engrossed House bill No. 8. A bill to amend the ninety-ninth section of an act entitled "An act to revise, simplify, and abridge the rules, practice, and pleadings, and forms, in civil cases, in the Courts of this State ; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

A message from the Governor, by Capt. John M. Commons, his Private Secretary.

MR. PRESIDENT :

I am directed by His Excellency, Conrad Baker, to transmit herewith his message announcing his assumption of the duties of the office of Governor, consequent upon the resignation of Governor O. P. Morton.

Very respectfully,

JOHN M. COMMONS,
Secretary.

To the Senate and House of Representatives :

By the resignation of His Excellency, Oliver P. Morton, Governor of the State, communicated to you on the 24th inst., the duties of the

office, under the Constitution, devolve upon me as Lieutenant Governor.

I beg to inform the General Assembly that I have entered upon the performance of the duties.

It may not be superfluous to add, that I shall make it my study, most cordially to co-operate with the General Assembly, in all its measures intended to promote the prosperity of the State and the welfare of its people.

Captain John M. Commons is authorized to make executive communications to the General Assembly.

CONRAD BAKER.

EXECUTIVE DEPARTMENT,
Indianapolis, January 25, 1867. }

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed the following enrolled acts of the Senate, to wit:

Enrolled Senate Joint Resolution No. 1. A joint resolution accepting and ratifying certain amendments to the Constitution of the United States, proposed by Congress to the Legislatures of the several States.

Enrolled Senate Act No. 26. An act appropriating seventy-five thousand dollars to defray the expenses of the forty-fifth session of the General Assembly.

Also, that the House has passed the following:

Engrossed Senate bill No. 29. An act to make an appropriation for the payment of Sheriff's mileage.

REPORTS FROM STANDING COMMITTEES.

Mr. Lewis, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred

Senate bill No. 74, a bill amendatory of an act entitled an act to provide for the more uniform method of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act, approved February 18, 1859, have had the same under consideration, and direct me to report the same back to the Senate with the following amendment :

Strike out section third, and when so amended recommend its passage.

Which was concurred in.

Mr. Noyes, from the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred

Senate bill No. 64, a bill to amend an act entitled " An act fixing the compensation of Township Assessors," have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it be indefinitely postponed.

Which report was concurred in, and the bill was indefinitely postponed.

Mr. Lewis, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred

Senate bill No. 58, a bill to amend an act entitled " An act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana ; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21,

1852, have had the same under consideration, and directed me to report the same back to the Senate and recommend its passage.

Which report was concurred in.

RESOLUTIONS.

Mr. Oyler offered the following resolution:

Resolved, That the Committee on Public Buildings be instructed to inquire into the expediency, of providing a night watchman to guard and protect the State House and the property therein, and report by bill or otherwise.

Which was agreed to.

-Mr. Church offered the following resolution :

Resolved, That the Committee on Military Affairs be, and they are hereby, instructed to inquire into, and report by bill or otherwise, as to the expediency of providing by law that the Adjutant General of the State, in addition to his other duties shall be required to act as Pay Master and Quarter Master General of the State, having in view the closing up of the business of said departments with a saving of expense to the State.

Which was agreed to.

Mr. Kinley offered the following resolution :

Resolved, That the Committee on Education be instructed to report an amendment to the school law, permitting any inhabitant of this State over the age of six years, whether married or single, to attend the public schools free of charge.

Mr. Cullen moved the following amendment :

Amend by striking out "instructed," and insert instead, "inquire into the expediency of."

Mr. Hanna moved that the resolution and pending amendment be laid on the table.

Mr. Cullen demanded a division of the question.

The question then being, shall the amendment be laid on the table ?

The ayes and noes were demanded by Messrs. Hanna and Taggart.

Those who voted in the affirmative were,

Messrs. Barker, Hanna, Huey, Huffman, Johnson, Newlin, Smith, Staggs and Taggart—9.

Those who voted in the negative were,

Messrs. Bellamy, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, English, Houghton, Hyatt, Jaquess, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Stein, Terry, Thompson, Ward and Wolcott—25.

So the motion to lay the amendment on the table, was not agreed to.

The question then being, shall the resolution be laid on the table ?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Carson, English, Hanna, Huey, Huffman, Jaquess, Johnson, Newlin, Smith, Staggs, Taggart and Terry—14.

Those who voted in the negative were,

Messrs. Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Stein, Thompson, Ward, Wolcott and Mr. President—21.

So the motion to lay the resolution on the table was not agreed to.

The question recurring on the adoption of the amendment to the resolution,

The ayes and noes being demand by Messrs. Hanna and Bonham.

Those who voted in the affirmative were,

Messrs. Bellamy, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Stein, Terry, Thompson, Ward and Wolcott—24.

Those who voted in the negative were,

Messrs. Barker, Carson, English, Hanna, Huey, Huffman, Newlin, Smith, Staggs and Taggart—10.

So the amendment was agreed to.

The question then being on the adoption of the resolution as amended,

The ayes and noes being demanded by Messrs. Oyler and Bonham.

Those who voted in the affirmative were,

Messrs. Bellamy, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Huey, Hyatt, Jaquess, Johnson, Lewis, Niles, Noyes, Oyler, Parrish, Reynolds Rice, Stein, Terry, Thompson, Ward and Wolcott—24.

Those who voted in the negative were,

Messrs. Barker, Carson, English, Hanna, Huffman, Kinley, Newlin, Smith, Staggs and Taggart—10.

So the resolution was adopted.

Mr. Wolcott gave notice of the following additional rule to the standing rules of the Senate :

On reference all memorials, resolutions, and bills shall be referred by the President of the Senate to the appropriate committee, according to the subject matter thereof, unless the Senate shall order otherwise.

Which was laid over one day under a rule of the Senate.

Mr. Kinley offered the following resolution :

Resolved, That the Committee on Education be instructed to inquire into the expediency of so amending the school law of this State as to require all teachers of Public Schools, after the first day of June, 1868, to be able to teach the following additional branches, to-wit: Physiology, the Constitution and History of the United States, and and the Constitution and History of the State of Indiana.

Which was adopted.

Mr. Stein offered the following resolution :

Resolved, That the Auditor of State be, and is hereby, requested to furnish to the Senate immediately a report showing the amount of warrants drawn on the Treasurer of State, by whom drawn, and in whose favor, on account of the State Soldiers' Claim Agency, both of Indianapolis and Washington City, specifying the years in which the same were drawn, and the law or appropriation giving authority therefor.

Which was agreed to.

Mr. Rice offered the following resolution :

Resolved, That a special committee of three be appointed to inquire into the expediency of the State furnishing aid for the re-publication of Blackford's Reports, said committee to report by bill or otherwise.

Which, on motion by Mr. Oyler, was referred to the Committee on the Judiciary.

BILLS INTRODUCED.

Mr. Carson introduced

Senate bill No. 105. A bill to amend section five of an act entitled "An act providing for an organization of Circuit Courts, the election of judges thereof, and defining their powers and duties," approved June 1, 1852, and providing for Criminal and Civil Circuit Courts, approved Dec. 20, 1865.

Which was read a first time, and referred to the Committee on the Organization of Courts of Justice.

On motion by Mr. Oyler, the vote referring the foregoing bill to the Committee on the Organization of Courts was re-considered, and,

On motion by Mr. Carson, it was referred to the Committee on the Judiciary.

Mr. Bonham introduced

Senate bill No. 106. A bill to amend section 103 of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings, and forms in criminal actions in this State."

Which was read a first time, and,

On motion by Mr. Bonham, referred to the Committee on the Judiciary.

Mr. Cason introduced

Senate bill No. 107. A bill to invest School Trustees of cities, incorporated towns and townships, in their discretion, at the same time and in like manner as they levy the special school tax to levy a tax for the purpose of continuing their schools after the school revenues distributed by the State have been expended.

Which was read a first time and referred to the Committee on Education.

Mr. Bellamy introduced

Senate bill No. 108. A bill to amend an act entitled "An act for the incorporation of Insurance Companies, defining their powers and prescribing their duties," approved June 17, 1852.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Carson introduced

Senate bill No. 109. A bill to amend section five of an act entitled "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Which was read a first time, and referred to the Committee on Education.

Mr. Staggs introduced

Senate bill No. 110. A bill to repeal "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing "An act to license dogs," approved March 11, 1861.

Which was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Kinley introduced

Senate bill No. 111. A bill authorizing Township Trustees, Trustees of incorporated towns, and the Common Council of cities to levy a tax for school purposes.

Which was read a first time, and referred to the Committee on Education.

Mr. Parrish introduced

Senate bill No. 112. A bill declaring what shall be evidence of desertion under the twenty-first section of the act of Congress entitled "An act to amend the several acts in force, heretofore passed, to provide for enrolling and calling out the national forces, and for other purposes," approved March 3, 1865.

Which was read a first time, and referred to the Committee on Military Affairs.

Mr. Terry introduced

Senate bill No. 113. A bill to amend the six hundred and forty-seventh section, and repeal the six hundred and forty-ninth section of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleadings and practice without distinctions between law and equity," passed June 18, A. D. 1852.

Which was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Kinley introduced

Senate bill No. 114. A bill to amend an act entitled "An act to

provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and adding supplemental sections thereto.

Which was read a first time, and referred to the Committee on Education.

Mr. Smith introduced

Senate bill No. 115. A bill entitled an act to provide by law for draining and ditching low, wet and overflowed land in the State of Indiana.

Which was read a first time, and referred to the Committee on Swamp Lands.

Mr. Terry introduced

Senate bill No. 116. A bill entitled an act to amend sections 18 and 25 of an act entitled "An act for the government of the Indiana Hospital for the Insane, and the care of the Insane of Indiana," approved January 15, 1852.

Which was read a first time and referred to the Committee on Benevolent Institutions.

Mr. Kinley introduced

Senate bill No. 117. A bill to amend sections 1 and 10 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing punishment for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed."

Which was read a first time and referred to the Committee on Education.

Mr. Niles introduced

Senate bill No. 118. A bill to require Clerks of the Courts of Common Pleas to specify by separate items the fees and services for

which they may demand payment of executors, administrators or guardians.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Thompson introduced

Senate bill No. 119. A bill entitled an act amending the 13th section of the act approved June 4, 1861, entitled an act to provide for the incorporation of Street Railroad Companies.

Which was read a first time and referred to the Committee on Corporations.

Mr. Niles introduced

Senate bill No. 120. A bill to amend section 63 of an act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Kinley introduced Senate bill No. 121. A bill to amend an act entitled "An act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof," approved March 5, 1859.

Which was read a first time and referred to the Committee on Temperance.

Mr. Carson asked and obtained leave of absence for Mr. Bowman.

Mr. Ward asked and obtained leave of absence for Mr. Armstrong.

By consent of the Senate;

Mr. Thompson presented a petition from James and John Heffer in relation to grading certain streets in Indianapolis.

Which, on motion by Mr. Thompson, was referred to the Committee on the affairs of the city of Indianapolis.

ORDERS OF THE DAY.

HOUSE BILLS ON FIRST READING.

House bill No. 8. A bill to amend section 99 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Was read a first time and referred to the Committee on the Judiciary.

BILLS ON SECOND READING.

Mr. Wolcott moved that

Senate bill No. 19. A bill to provide for the revision and consolidation of the Statutes of the State of Indiana, and the report of the Committee on the Judiciary made thereon be taken from the table.

Which was agreed to, and the bill read a second time.

Mr. Wolcott moved to make the bill and the report of the Committee on the Judiciary thereon the special order for January 30th, at 2 o'clock P. M.

Which was agreed to.

Senate bill No. 7. A bill to repeal an act entitled "An act to enforce the 13th article of the Constitution."

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 11. A bill to amend section three and fourteen, of an act entitled an act to allow County Commissioners to organize turnpike companies, where three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction and provide for the same to be free.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 28. A bill to amend section eighteen of an act.

entitled an act prescribing the powers and duties of Justices of the Peace in State prosecutions.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 29. A bill to define who are competent witnesses in this State.

Was read a second time, and on motion, recommitted to the Committee on the Judiciary.

Senate bill No. 33. A bill to amend sections 10, 13, 14, 15, 16, 17 and 18 of an act entitled an act regulating the fees of officers and repealing former acts in relation thereto.

Which was read a second time, and on motion by Mr. Cullen, laid on the table.

Senate bill No. 34. A bill to amend section three of an act entitled "An act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the judges thereof," approved May 14, 1852, and creating a new district and providing for the appointment of a judge therein.

Was read a first time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 35. A bill to amend sections nineteen and twenty of an act entitled "An act defining felonies and prescribing punishment therefor," approved June 10, 1852, defining the offences of grand and petit larceny, and prescribing the punishment therefor.

Was read a second time.

Mr. Oyler moved to amend the bill as follows:

Amend section nineteen by striking out the word "five," and inserting the word "twenty" immediately, before the word "dollars."

Amend section twenty, by striking out the word "five" and inserting the word "twenty" immediately before the word "dollars."

Mr. Cullen moved to recommit the bill and pending amendments to the Committee on the Judiciary.

Which was agreed to.

By unanimous consent of the Senate, Mr. Cason offered the following resolution :

MR. PRESIDENT :

WHEREAS, The Senator from the county of Decatur is chairman of the committee on education, and since his appointment, has been elected President of the Senate ; therefore,

Be it Resolved, That said Senator be requested to retain his position on said committee, and act with the same.

Which was agreed to.

By unanimous consent of the Senate, Mr. Hanna introduced Senate bill No. 122. A bill regulating the practice of Dentistry in the State of Indiana.

Which was read a first time, and referred to the Committee on the Judiciary.

On motion by Mr. Thompson, the Senate adjourned.

TUESDAY AFTERNOON, 2 o'clock, }
January 29, 1867. }

The Senate met.

On motion by Mr. Rice, the reading of the Journal was dispensed with.

On motion by Mr. Cullen, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names:

Messrs. Barker, Bellamy, Bennett, Bonham, Brown, Cason, Carson, Cullen, Gifford, Hanna, Huey, Hyatt, Lee, Lewis, Mason, Newlin, Niles, Noyes, Parrish, Reagan, Rice, Staggs, Stein, Taggart, Thompson, Wolcott, and Mr. President—27.

On motion by Mr. Cullen, the further call of the Senate was dispensed with.

The President announced the following changes in the Standing Committees:

Public Buildings—Mr. Newlin in the place of Mr. Hunt.

Military Affairs—Mr. Robinson in the place of Mr. Cumback.

Swamp Lands—Mr. English in the place of Mr. Hunt.

Temperance—Mr. Robinson in the place of Mr. Cumback.

County and Township Business—Mr. Carson in the place of Mr. Hunt.

Rights and Privileges of the Inhabitants of this State—Mr. Mason in the place of Mr. Hunt.

Congressional Apportionment—Mr. Hyatt in the place of Mr. Cumback, and Mr. Smith in the place of Mr. Hunt.

REPORTS FROM STANDING COMMITTEES.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 63, a bill for the repeal of statutes not in conformity with the ruling of the Supreme Court in the case of Langdon against Applegate and others, and limiting actions arising out of the same, or for a violation thereof, have directed me to report the same back to the Senate and recommend its passage.

Which report was concurred in.

Mr. Bennett, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The majority of the Committee on the Judiciary, to whom was referred Senate bill No. 84, a bill relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries, beg leave to report that they have had the same under consideration, and refer the same back to the Senate, with the recommendation that the same do pass.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following minority report :

MR. PRESIDENT :

The undersigned dissents from the report of the majority of the Judiciary Committee, recommending the passage of Senate bill No. 84, "A bill relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries."

An act was passed at the last special session very considerably increasing the salaries to be effected by the present bill, and the undersigned is of the opinion that it will be well to wait some reasonable time before acting again on the same subject.

The value of money, as compared with nearly everything else, is rising, and the burthen of taxation is becoming more oppressive to the people; while the unsettled condition of financial affairs makes the present an unfit time needlessly to increase the public burthens.

Mr. Cullen moved to substitute the minority report for the report of the committee.

Pending the motion, Mr. Bennett moved to postpone the further consideration of the pending questions until Thursday January 31st, at 2 o'clock, P. M., and that they be made the special order for that hour.

Which was agreed to.

Mr. Stein, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 97, entitled a bill designating certain holidays and relative to negotiable paper falling due thereon, have had the same under consideration, and report it to the Senate with a recommendation that said bill do pass.

Which was concurred in.

Mr. Rice, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee, to whom was referred Senate bill No. 103, a bill to prevent persons from injuring or destroying insured property, and from making false proofs thereof, prescribing penalties for the same, have had the same under consideration, and direct me to report in favor of its passage with the following amendment, to-wit:

Sec. 3. An emergency is hereby declared to exist for the immediate taking effect of this act, and the same shall be in force from and after its passage.

Which report was concurred in.

Mr. Reagan, Chairman, from the Committee on Temperance, made the following report:

MR. PRESIDENT:

The Committee on Temperance, to whom was referred Senate bill No. 8, a bill to provide for the care and custody of the person and estate of habitual drunkards, have directed me to report the same back to the Senate and recommend its passage.

Which was concurred in.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, to-wit:

An act supplemental to an act, approved March 5, 1859, entitled "An act authorizing the purchase of railroads, plank roads, turnpikes and macadamized roads, or parts thereof, under mortgaged sale or sales made according to the terms of deeds of trust, to organize as incorporated companies, and prescribing their powers and duties," extending the time provided in said act for the organization of said district corporations by such purchasers.

Also, that the Speaker of the House has signed the following enrolled act of the Senate, No. 69, entitled "An act to make an appropriation for the payment of sheriffs' mileage."

RESOLUTIONS.

Mr. Smith offered the following resolution:

Resolved, That the Committee on Corporations be, and they are hereby, instructed to inquire into the expediency of removing the State University from Bloomington and locating the same on "University Square," or at some other eligible point at or near Indianapolis, and to report by bill or otherwise.

Which was agreed to.

Mr. Stein offered the following resolution :

Resolved, That the Committee on Education and the Committee on Agriculture, acting jointly, be, and hereby are, constituted a Committee on the Agricultural College.

Mr. Oyler moved to amend, by making the Committee contemplated by the resolution a special committee, to consist of one Senator from each Congressional District.

Which was not agreed to.

The question then being, shall the resolution be adopted?

It was agreed to.

On motion by Mr. Wolcott, the amendment to the rules offered by him on yesterday, was taken up.

It was adopted.

BILLS INTRODUCED.

Mr. Cullen introduced

Senate bill No. 123. A bill to provide for the burying of dead animals, and prescribing punishment for violation thereof.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Taggart introduced

Senate bill No. 124. A bill creating the Judicial Circuit and providing for the appointment and election of Judge and Prosecuting Attorney therefor, and the time of holding Court in the several counties therein.

Which was read a first time, and referred to the Committee on the Organization of Courts of Justice.

Mr. Barker, introduced

Senate bill No. 125. A bill to declare abandoned certain unfinished railroads, and to provide for their completion; to declare forfeited the franchises of certain Railroad Companies, and for the as-

assessment of the value thereof; for the organization of new companies, and for making annual statements.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Cason introduced

Senate bill No. 126. A bill proposing an amendment to the Constitution of the State, providing for the submission of the same to a vote of the electors of this State at the October election for the year 1867, and authorizing the Governor to issue his proclamation upon the ratification of said amendment declaring the same to be adopted and a part of the Constitution.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Reynolds introduced

Senate bill No. 127. A bill to amend an act entitled "An act regulating Foreign Insurance Companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act."

Which was read a first time, and referred to the Committee on Corporations.

Mr. Rice introduced

Senate bill No. 128. A bill to amend section twenty-eight of an act entitled "An act defining felonies and prescribing punishment therefor," approved, June 10th, 1852."

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Oyler introduced

Senate bill No. 129. A bill to amend an act entitled "An act to revise, simplify and abridge rules, practice, pleadings, and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a

uniform mode of pleading and practice, without distinction between law and Equity," approved June 18, 1852.

Which was read a first time, and referred to the Committee on the organization of Courts.

Mr. Sherrod introduced

Senate bill No. 130. A bill to amend the first section of an act entitled "An act prohibiting Supreme, Circuit or Common, Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, and their Deputies from practicing law in any of the Courts of this State except as in this act permitted, and prescribing punishment for the violation thereof," approved March 6, 1865.

Which was read a first time, and referred to the Committee on the Judiciary.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Kinley, chairman of the Committee on Benevolent Institutions made the following report:

MR. PRESIDENT:

The Committee on Benevolent Institutions, to whom was referred Senate bill No. 98, entitled an act making specific appropriations for the support of the Benevolent Institutions, have had the same under consideration, and instructed me to report it back to the Senate and recommend its passage.

Mr. Cullen moved to read the bill a second time now.

Which was agreed to, and the bill was read a second time.

Mr. Bellamy moved to suspend the rules, consider the bill as engrossed, and that it be read a third time now.

The ayes and noes being taken under the constitution.

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Church, Cravens, Cullen, Gifford, Houghton, Huffman, Hyatt, Jaquess, Johnson, Kinley, Lewis, Mason, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Taggart, Thompson, Turner, Vawter, Ward and Wolcott—30.

Those who voted in the negative were,

Messrs. Barker, Carson, Hanna, Huey, Humphreys, Lee, Newlin, Sherrod and Staggs—9.

The President decided that, under the vote just taken, the rules were not suspended.

Mr. Oyler appealed from the decision of the President as follows:

"The question being upon a suspension of the rules, upon a call of the roll, thirty Senators voted aye and nine Senators voted no.

The President decided that the rules were not suspended, from which ruling of the President I appeal to the Senate.

The question then being, shall the decision of the President stand as the decision of the Senate?

Mr. Vawter moved to lay the appeal on the table.

Which was agreed to.

By unanimous consent of the Senate, the roll was again called upon the motion of Mr. Bellamy, to suspend the rules, consider the bill engrossed and that it be read a third time now.

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown Cason, Carson, Church, Cravens, Cullen, Gifford, Houghton, Huffman, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Taggart, Thompson, Turner, Vawter, Ward, Wolcott and Mr. President—34.

Those who voted in the negative were,

Messrs. Barker, Hanna, Humphreys, Mason, Newlin, Sherrod, Smith and Staggs—8.

So the rules were suspended, and the bill read a third time.

Mr. Hanna moved that the bill be recommitted to the Committee

on Benevolent Institutions, with instructions to inquire into the expediency of making a perpetual appropriation.

Mr. Cullen moved to lay the motion, to recommit on the table.

The ayes and noes being demanded by Messrs. Hanna and Mason.

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Thompson, Vawter, Ward and Wolcott—25.

Those who voted in the negative were,

Messrs. Barker, Carson, Gifford, Hanna, Huey, Huffman, Humphreys, Johnson, Lee, Mason, Newlin, Sherrod, Smith, Stags and Turner—16.

So the motion to recommit was laid on the table.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bennett, Bonham, Cason, Carson, Church, Cravens, Cullen, Gifford, Hanna, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Kinley, Lewis, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Smith, Staggs, Stein, Taggart, Thompson, Turner, Vawter, Ward and Wolcott—38.

Those who voted in the negative were,

Messrs. Humphreys and Sherrod—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Mason, from the Committee on the Judiciary made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 96, a bill entitled a bill to amend the seven hundred and sixteenth section of an act entitled "An act concerning the writ of *habeas corpus*" return the same back to the Senate with the following amendments to wit :

Strike out all after the word "are" on the 37th, 38th and 39th lines, and insert the following "biased or prejudiced against, or of kin, to either party, or be otherwise incompetent to hold and determine the same," and when so amended recommend its passage.

Which was concurred in.

ORDERS OF THE DAY.

SENATE BILLS ON SECOND READING.

Senate bill No. 30. A bill to provide for the protection of fish, defining the time in which they shall not be trapped, netted or seined, affixing the penalty for the violation of this act, and declaring an emergency.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

On motion by Mr. Bennett,

Senate bill No. 33—a bill to amend sections 10, 13, 14, 15, 16, 17 and 18 of an act entitled an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855, and the report of the Committee on the Judiciary thereon.

Was taken from the table.

Mr. Oyler, moved to recommit the bill to a select Committee of five.

Which was not agreed to.

The report of the Committee was concurred in.

The question being, "Shall the bill be engrossed for a third reading on to-morrow?"

The ayes and noes being demanded by Messrs. Oyler and Cullen.

Those who voted in the affirmative were,

Messrs. Barker, Bennett, Bonham, Cason, Church, Cullen, Gifford, Hanna, Huffman, Hyatt, Jaquess, Lee, Lewis, Newlin, Noyes, Parrish, Reagan, Rice, Richmond, Smith, Staggs, Thompson, Turner, Vawter, Ward and Mr. President—26.

Those who voted in the negative were,

Messrs. Bellamy, Brown, Carson, Cravens, Houghton, Huey, Humphreys, Johnson, Kinley, Niles, Oyler, Reynolds, Sherrod, Taggart and Terry—15.

So the bill was ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 32—a bill to provide for issuing *capias ad satisfaciendum* when in action for replevin of personal property defendant shall fraudulently conceal, remove, transfer, withhold or refuse to deliver said property, and providing the manner of proceedings, to obtain said writ in certain cases therein specified.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 36. A bill to amend an act entitled "An act to provide for the appointment of a Sheriff of the Supreme Court and prescribing certain of his duties and fees," approved May 13, 1852.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 38. A bill to amend section 20 of an act entitled an act to amend an act entitled "An act providing for the the election or appointment of Supervisors of Highways and prescribing certain of their duties, and those of county and township officers in relation thereto," approved January 20, 1865.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 43. A bill to amend section 15 of an act entitled

"An act to provide for the opening, vacating, and change of highways," approved June 17, 1852.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 58. A bill to amend an act entitled "An act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana, for the election of Township Assessors and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors and of the Treasurer and Auditor of State," approved June 21, 1852.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 62. A bill to amend an act entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities, and duties of officers connected with the management thereof and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 73. A bill to regulate, and make uniform, the prices of freights upon railroads in this State.

Was taken up, and,

On motion by Mr. Church, referred, without reading, to the Committee on Corporations.

Senate bill No. 74. A bill amendatory of an act entitled "An act to provide for the more uniform method of doing Township Business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act," approved February 18, 1859.

Was read a second time, and,

On motion by Mr. Cullen, recommitted to the Committee on County and Township Business.

Senate bill No. 70. A bill to amend section 57 of "An act for the incorporation of cities," approved December 20, 1865, authorizing subscriptions and donations to aid in the construction of plank roads, macadamized roads and railroads, running into or through such cities, prescribing the manner in which such subscriptions and donations may be made, and for the enforcement thereof.

Was read a second time, and ordered to be engrossed, for a third reading on to-morrow.

By consent of the Senate, the order of business was suspended, and,

Mr. Stein introduced

Senate bill No. 131. A bill to amend section 784 of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."

Which was read a first time, and referred to the Committee on Corporations.

SENATE BILLS ON THIRD READING.

Senate bill No. 7. A bill to repeal an act entitled "An act to enforce the 13th Article of the Constitution."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward and Mr. President—25.

Those who voted in the negative were,

Messrs. Barker, Carson, Gifford, Hanna, Huey, Huffman, Hum-

phreys, Jaquess, Johnson, Lee, Mason, Newlin, Sherrod, Stagga, Taggart, Turner and Vawter—17.

So the bill did not pass for want of a Constitutional majority.

Mr. Cravens moved that a call of the Senate be ordered.

Which was agreed to.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Barker, Bellamy, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Vawter, Ward and Mr. President—42.

Mr. Oyler moved that the further call be dispensed with.

Which was agreed to.

Mr. Oyler then moved that Senate bill No. 7. A bill to repeal an act entitled "An act to enforce the 13th Article of the Constitution," be again taken up and put on its passage.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Johnson, Kinley, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward and Mr. President—26.

Those who voted in the negative were,

Messrs. Barker, Carson, Gifford, Hanna, Huey, Huffman, Hum-

phreys, Jaquess, Lee, Mason, Newlin, Smith, Staggs, Taggart, Turner and Vawter—16.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 12. A bill for the correction of mistakes in conveyances, where a married woman is a party.

Was read a third time,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bennett, Bonham, Brown, Carson, Church, Cravens, Cullen, Gifford, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lewis, Mason, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward and Mr. President—33.

Those who voted in the negative were,

Messrs. Hanna, Lee, Newlin, Smith, Staggs, Taggart, Turner and Vawter—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 11. A bill to amend sections three and fourteen of an act entitled "An act to allow County Commissioners to organize turnpike companies, where three-fifths of the persons representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction and provide for the same to be free.

Was read a third time,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, New-

lin, Niles, Noyes, Oyler Parrish Reagan, Reynolds, Rice, Richmond, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Thompson, Vawter, Ward and Mr. President—41.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 28. A bill to amend section 18 of an act entitled "An act prescribing the powers and duties of Justices of the Peace in State prosecutions.

Was read a third time,

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bennett, Bonham, Brown, Carson, Church, Cravens, Cullen, Gifford, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Smith, Stein, Taggart, Terry, Thompson, Turner, Vawter, Ward and Mr. President—39.

Those who voted in the negative were,

Messrs. Hanna, Sherrod and Staggs—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 34. A bill to amend section three of an act entitled "An act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the Judges thereof, approved May 14, 1852, and creating a new district, and providing for the appointment of a Judge therein.

Was read a third time,

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bennett, Bonham, Brown, Carson,

Church, Cravens, Cullen, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Smith, Staggs, Stein, Taggart, Terry, Thompson, Vawter, Ward and Mr. President—39.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion, by Mr. Gifford, the Senate adjourned.

WEDNESDAY AFTERNOON, 2 o'clock, }
January 30, 1867.

The Senate met.

On motion by Mr. Gifford, the reading of the journal of yesterday was dispensed with.

SPECIAL ORDER.

The hour having arrived making Senate bill No. 19, a bill to provide for the revision and consolidation of the Statutes of the State of Indiana; and the report of the Committee on the Judiciary thereon, the special order of the day, they were taken up.

The question being, shall the report of the Committee be concurred in?

Mr. Vawter moved the previous question.

The motion was seconded by the Senate.

The question then being, shall the main question be now put?

It was agreed to.

The question recurring, shall the report of the Committee be concurred in?

The ayes and noes being demanded by Messrs. Oyler and Cullen:

Those who voted in the affirmative were,

Messrs. Barker, Bonham, Brown, Cason, Carson, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Kinley, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Parrish, Rice, Robinson, Staggs, Taggart, Terry, Thompson, Turner, and Ward—32.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Church, Cravens, Jaquess, Oyler, Reagan, Reynolds, Richmond, Smith, Stein, Vawter, Wolcott, and Mr. President—14.

So the report was concurred in, and the bill indefinitely postponed.

A message from the House, by Mr. Nixon, the Clerk thereof :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate that the House has passed the following engrossed bill thereof, to-wit :

Engrossed House bill No. 11. A bill amending section 10, of "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.

The President laid before the Senate the reports of the Bank of the State of Indiana and Branches, which was,

On motion by Mr. Oyler, referred to the Committee on Banks.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Thompson presented a petition from sundry citizens of the State, asking that the colored children of the State may be granted the privilege of receiving a share of the common school fund.

Which was referred to the Committee on Education.

Mr. Kinley presented a petition from sundry citizens of Wayne county, asking an appropriation for the benefit of the Soldiers' Home.

Which, on motion by Mr. Kinley, was referred to the Committee on the Rights and Privileges of the the inhabitants of the State.

Mr. Smith presented a petition from sundry citizens of Indiana on the subject of temperance, asking the enactment of a prohibitory law.

Which was referred to the Committee on Temperance.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred House bill No. 8. A bill to amend the 99th section of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June, 18, —, recommend that said bill be amended, by adding to the second section the following words, "after the occurrence of such mistake, surprise, excusable neglect or omission," and when so amended the Committee recommend its passage.

Which report was concurred in.

Mr. Bennett, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 122, "A bill regulating the practice of dentistry in the State of Indiana," beg leave to report that they have had the same under consideration, and recommend that the bill lie upon the table.

Which was concurred in.

Mr. Bennett, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 29, "A bill defining who shall be competent witnesses in any court or judicial proceeding in this State, and to repeal all laws and parts of laws in conflict with the provisions of this act," beg leave to report that they have had the same under consideration, and refer the same back to the Senate and recommend that the bill do pass without amendment.

Mr. Mason, from the Committee on the Judiciary, made the following minority report:

MR. PRESIDENT:

The minority of the Committee on the Judiciary, to whom was referred Senate bill No. 29, "A bill defining who shall be competent witnesses in any court or judicial proceeding in this State, and to repeal all laws, and parts of laws, in conflict with the provisions of this act," report the same back to the Senate and recommend that the same be indefinitely postponed, as the minority of said Committee think that a law permitting all persons of competent age, without distinction as to color or blood, to testify, would not have a tendency to increase justice in this State, but, on the contrary, would only have a tendency to thwart the ends of justice, and, in many cases the white litigant would be very much injured by permitting a class of persons to give testimony against the white litigant, who are generally ignorant, vicious, and in many other respects totally unfit to be clothed with this high privilege.

Mr. Oyler moved to concur in the report of the Committee.

Mr. Hanna moved to lay the motion to concur in the report of the Committee on the table.

The ayes and noes being demanded by Messrs. Hannah and Newlin,

Those who voted in the affirmative were,

Messrs. Barker, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Mason, Newlin, Smith, Staggs, Taggart, Turner and Vawter—16.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward and Wolcott—28.

So to the motion to lay on the table was not agreed to.

The question then being, shall the report of the Committee be concurred in ?

The ayes and noes were demanded by Messrs. Hannah and Newlin,

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Jacquess, Kinley, Lewis, Milligan, Niles, Noyes, Oylar, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward and Wolcott—28.

Those who voted in the negative were,

Messrs. Barker, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Mason, Newlin, Smith Staggs, Taggart, Turner and Vawter—16.

So the report was concurred in, and the bill contained therein ordered to be engrossed for a third reading on to-morrow.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 105—a bill to amend section five of an act entitled “An act providing for the organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties,” approved June 1, 1852, and providing for Criminal and Civil Circuit Courts, approved December 20, 1865, report the same back and recommend its passage.

Which report was concurred in.

Mr Rice, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee, to whom was referred Senate bill No. 118—“a bill to require Clerks of the Courts of Common Pleas, to specify by

separate items, the fees and services for which they may demand payment of Executors, Administrators or Guardians"—have had the same under consideration, and direct me to report the same back to the Senate, with the recommendation that it pass.

Which was concurred in.

Mr. Rice, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee, to whom was referred Senate bill No. 88—a bill requiring parties, who shall institute suits for divorce or slander, to give security for costs before process issues, have had the same under consideration, and direct me to report the same back to the Senate, with the recommendation that it be laid on the table.

Which was concurred in.

Mr. Mason, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill 120—an act entitled "An act to amend section sixty-three of an act defining misdemeanors, and prescribing punishments there," approved January 14, 1852; beg leave to report the same back to the Senate and recommend that the same pass.

Which report was concurred in.

Mr. Kinley, from the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education, to whom was referred Senate bill No. 107—a bill to authorize School Trustees of cities, incorporated towns and townships, in their discretion at the same time and in like manner as they levy the special school tax, to levy a tax for the purpose of continuing their schools; after the school revenues distributed by the State have been expended, have had the same under consider-

ation, and instructed me to report it back to the Senate with the recommendation, that it lie on the table.

Which report was concurred in.

Mr. Kinley, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred a petition from sundry township trustees and school examiners of the county of Tippecanoe, praying the General Assembly to enact a law by which a School Board will be created in each county of the State, have had the same under consideration, and instructed me to report it back to the Senate, with the recommendation that the further consideration of the subject of the petition be indefinitely postponed.

Which was concurred in, and, the petition was indefinitely postponed.

Mr. Kinley, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred Senate bill No. 109. A bill to amend section 5 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therein prescribed," approved March 6, 1865, have had the same under consideration, and instruct me to report it back to the Senate, with the recommendation that it do pass.

Which report was concurred in.

Mr. Carson, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

In obedience to the following resolution, which unanimously passed the Senate, to-wit :

Resolved, That the Committee on Corporations be, and they are hereby instructed to inquire into the provisions of an act entitled, "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved December 20, 1865, and suggest such imperfections as they may find in said act, and provide for the revision of the same and report by bill or otherwise.

The Committee on Corporations have had the same under advisement, and have instructed me to report as follows, to-wit :

After a careful examination of the provisions of said act, your Committee find that they are very imperfect, in many essential particulars, the powers and duties of the various city offices are badly arranged, and several misreferences and omissions which leave no room to doubt or cavil as to the necessity and importance of a revision of said act, which will more particularly appear by reference to the sections of said act herein referred to :

First.—The 17th section of said act, defining the duties of Mayor, requires that "All fines and penalties collected by him shall be paid into the city treasury, except when otherwise directed by acts prescribing the duties and powers of justices of the peace." This should be so amended as to require the same paid into the treasury every month, and paid in the kind of funds received by him.

Second.—The 18th section is also defective in this, that while he is required to keep a docket as justices do, he should also be required to enter therein the parties to the action, the title of the cause, the issue and return of process and the proceedings and judgment had in the case and when paid, enter satisfaction of judgment. This, the Committee deem essential because by the provisions of section 39, he is not bound "to copy into his docket any part of the affidavit, complaint or other pleadings, in the record of the cause," and hence the words, "he shall keep a docket as justices do," cannot be construed to imply that he shall make the same entries that justices are required to make in their dockets, as provided in the 18th section of the act defining the jurisdiction powers and duties of justices of the peace. In civil cases, 2nd Gavin and Hord, page 581, and the act

defining their powers and duties in State prosecutions, is not definite upon this subject. See *Nash vs. the State of Indiana*, pp. 666.

Third.—Section 19 is very indefinite. It defines a portion of the duties of Clerk and Auditor, and so connects them as to render it difficult of construction, particularly so where the Clerk performs the duties of Auditor, which is the case in nearly all the cities of the State. It further provides in the last sentence of said section, that in addition to his annual salary he (the Auditor,) shall be allowed the same fees as County Auditors are allowed for similar services. This would be an ample compensation without any salary, and will apply to the Clerk as well as the Auditor. When he performs the duties of both offices, it should be stricken out, and his salary fixed as those of other officers.

Fourth —Section twenty, defining the duties of Assessor requires the real property to be assessed annually. This is an unnecessary expense, and should be so amended as to require an appraisement to be made once in five years, as provided for the appraisement of real property for State and county purposes, or, to adopt such appraisement as the basis of the assessment of realty, and require the County Auditor to furnish a copy of the same, from his duplicate, whenever any new appraisement thereof should be made.

Fifth.—Section twenty-one should be so qualified as to provide, that no indebtedness should be incurred by said Street Commissioner, without an order of the Common Council authorizing the same.

Sixth.—Section twenty-two, defining the duties of Marshall is unprecedented in its provisions. It authorizes the Marshal, Chief or Lieutenant of Police, or Captain of the Watch, to fix the amount of bail in any case however heinous, and take recognizance. This is a dangerous power to be placed in the hands of such officers. It properly belongs to the Judiciary to fix the amount of bail, and, therefore, should be stricken out.

Seventh.—Section twenty-three should be amended by striking out the words "if practicable" in the last line. They are of doubtful import, and without any analogy to sustain them. It is the duty of the Treasurer to keep the monies of the treasury safely, whether on deposit or otherwise. The risks should be his without any qualifications whatever.

Eighth.—Section 24, defining the duties of Civil Engineer, gives him exclusive jurisdiction to survey, determine, establish and perpetuate the lines and corners of all lots, blocks, parcels of land and subdivisions thereof within the limits of such city, and requires that he shall make a record of all such surveys as the County Surveyor is required to do; and such record or certified copy thereof, shall be evidence in all the Courts of the State. from which survey, an appeal may be taken as now provided, for the appeals from surveys made by the County Surveyor. This section invests the Civil Engineer with powers of the most important and dangerous character to the citizen, giving him exclusive jurisdiction to fix the boundary lines of lots, blocks and lands within the city, without any notice whatever to the owners thereof. It should be amended so as to conform to the law regulating the duties of County Surveyors.

Ninth.—Section 25, provides for a docket fee of City Attorney, in addition to such salary as he may be allowed by the Common Council. This should be stricken out as in most cases of violation of city ordinances are for petty offences, the fine for which does not exceed a dollar or two, it is unreasonable that the defendant should be required to pay such heavy costs, and in cases where the fine should be more the Mayor or City Judge generally takes into account the amount of costs, and deducts the same from the fine. This is not the only objection to this section. It should define the duties of the Attorney which are nowhere defined in the act, except as incidentally mentioned in section thirty-one.

Tenth.—Section 29. The last clause of this section is provided for in the last sentence of section eight in this act, where it should be stricken out as it enacts, "That the Common Council shall provide a compensation for such deputies." This would make it obligatory upon the Council, if they consent to the appointment of a deputy, to provide a compensation for him: there can be no good reason why a city officer should be provided with a paid deputy to perform his duties. All our county officers are required to furnish and pay their deputies, being responsible for their acts which should be required in this act.

Eleventh.—Section 30. The last clause of this section is not germane to the subject. It should be so qualified as to mention the officers entitled to receive stationery and of what kind.

Twelfth.—Section 31. The last clause of this section is in conflict with section 17, or rather is a misreference and is clearly cumu-

lative. It should be stricken out. There is no provision for the payment of fines by the Mayor in section 18, to which this clause refers.

Thirteenth.—Section 33. The provisions of this section are too general. It should provide for the condemnation of such building and the right of appeal.

Fourteenth.—Section 34. The word “owners” in the first line of the tenth article of said section, and so much of the last clause of said article as refers to a lien on real estate should be stricken out. There is no good reason why a nuisance caused by a tenant upon the owner’s premises should create a lien upon the same, for the abatement thereof, which should be enforced by fines and penalties against the person causing the same. The 33d article of said section 34, which provides for a Board of Public Improvements, should be amended so as to authorize such Board to take from all persons to whom any such permit is granted, or with whom the city shall contract for any improvements liable to endanger persons or property, a Board with sufficient sureties, conditioned that the owners or contractors shall pay all damages that may be sustained by any person or persons by reasons of any carelessness or negligence in the manner of making such improvements, and properly protecting persons and property from injuries thereby. The 44th article of said section, should also be amended, as much litigation has grown out of the subject. The word “adjacent” being of indefinite import. It should provide that the cost of such drains and sewers be assessed against the owners of the lots and lands benefited thereby, in such equitable proportion as the Council may by ordinance provide.

Fifteenth.—Section 54. The words “fifteenth section,” in the last line of the third article of said section, is a misreference, and thereby jeopardizes the collection of the delinquent taxes. It should be stricken out and the forty-ninth section inserted in lieu thereof.

Sixteenth.—Section 56. The words “section fifty-four” in the sixteenth line of said section, are also a misreference, as there are no provisions in that section for the redemption of lands sold for taxes. The words “County Auditors,” in the twentieth and twenty-first lines of said section should be “County Treasurers,” as County Auditors never make sale of delinquent lands. This duty belongs to County Treasurers.

Seventeenth.—Section 68. This is a very important section, involving the collection of all assessments for street improvements, and is so imperfect as to leave little doubt as to its entire utility.

It must be amended in order to make sense, by inserting after the word "contractor," in the fifth line, the words, "such contractors;" also by inserting after the words "in whose name such assessment is made," in the twenty-third and twenty-fourth lines of said section, the words "which precept the clerk shall forthwith deliver to the Treasurer, who shall serve the same by reading, personally, to such owner, or by leaving a copy thereof, at his last or usual place of residence.

In view of the many imperfections in said act, and the entire want of any proper arrangement of the provisions of the same, your Committee recommend an entire revision of the said act, so as to cure the defects herein set forth.

And your Committee to whom was referred Senate bill No. 37, entitled "An act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," have had the same under consideration, and have directed me to report the same back to the Senate with the following amendments, to wit:

Amend section thirty by striking out all after the word "whatever," on the seventh and eighth lines of said section, so far as they relate to docket fee, to the word "but," on the eleventh line of said section. Also amend section sixty, by striking out of the third line of said section the words "three fourths," and in lieu thereof insert the word "majority," and when so amended recommend the passage of the bill.

Which was concurred in.

Mr. Cravens, from the Committee on Corporations made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 119, a bill amending the 13th section of the act approved June 4, 1861, entitled "an act to provide for the incorporation of Street Railroad Companies," have had the same under consideration, and

instructed me to report the same back to the Senate without amendment, and recommend its passage.

Which was concurred in.

Mr. Cullen, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations to whom was referred House bill No. 2, a bill to amend an act entitled an act to incorporate the Preachers' Aid Society, approved February 12, 1841, and to authorize and require said incorporation to divide and pay over in equal shares to each Preachers' Aid Society in the several conferences in Indiana, the funds in said incorporation, by the 1st of January, 1868, have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend its passage.

Which report was concurred in.

Mr. Cullen moved to suspend the order of business and read the bill contained in the foregoing report a second time.

Which was not agreed to.

Mr. Noyes, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claim of Henry C. Guffin, amounting to five dollars for one day's work as Clerk of the Senate, have had the same under consideration, and have directed me to report it back to the Senate, and recommend that it be referred to the Committee on Finance, and allowed.

Which was concurred in.

Mr. Noyes, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the Claim of Patrick Branen, for three day's work performed at the special session in 1865, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that the same be referred to the Committee on Finance, and that he be allowed twelve dollars.

Which was concurred in.

Mr. Oyler, Chairman of the Committee on the Organization of Courts, made the following report :

MR. PRESIDENT :

The Committee on the Organization of Courts, to whom was referred Senate bill No. 40, "A bill defining what counties shall constitute the Thirteenth Judicial Circuit," have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments, to-wit :

Strike out all after the enacting clause, and insert : That the counties of Jay, Randolph, Wayne, Henry and Hancock shall constitute the Thirteenth Judicial Circuit, and that the Circuit Courts in the several counties therein shall be holden as follows, to-wit :

In the county of Jay on the first Mondays in February and August of each year.

In the county of Randolph on the Mondays succeeding the Courts in the county of Jay.

In the county of Wayne on the Mondays succeeding the Courts in the county of Randolph.

In the county of Henry on the Mondays succeeding the Courts in the county of Wayne.

In the county of Hancock on the Mondays succeeding the Courts in the county of Henry.

Sec. —. If the business thereof require it said Courts shall sit in the county of Jay two weeks at each term ; in the county of Randolph three weeks at each term ; in the county of Wayne four weeks at each term ; in the county of Henry three weeks at each term ; and in the county of Hancock two weeks at each term.

Sec. —. Inasmuch as there is pending in said several Courts a large amount of unfinished business, it is hereby declared that an emergency exists for the immediate taking act of this effect, and that the same shall take effect and be in force from and after its passage.

In which they ask the concurrence of the Senate, and when so amended they recommend the passage of the bill.

Mr. Oyler, Chairman of the Committee on the Organization of Courts, made the following further report :

MR. PRESIDENT :

The Committee on the Organization of Courts, to whom was referred Senate bill No. 39, a bill creating the Fourteenth Judicial Circuit and fixing the times of holding Courts therein, have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that the establishment of a new Circuit, in the locality proposed, is inexpedient and uncalled for, changes therein having been made in bills reported heretofore to this Senate.

Mr. Oyler, Chairman of the Committee on the Organization of Courts, made the following further report :

MR. PRESIDENT :

The Committee on the Organization of Courts, to whom was referred Senate bill No. 42, "A bill defining what counties shall constitute the Seventh Judicial Circuit, and fixing the times for holding Courts therein," have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments, to-wit :

Strike out all after the enacting clause, and insert :

Sec. 1. That the counties of Blackford, Delaware, Madison, Hamilton, Tipton and Howard shall constitute the Seventh Judicial Circuit, and that the Circuit Courts in the several counties therein shall be holden as follows, to-wit :

Commencing in the county of Blackford on the second Mondays in February and August of each year.

In the county of Delaware on the Mondays succeeding the Court in the county of Blackford.

In the County of Madison on the Monday succeeding the Court in the county of Delaware.

In the county of Hamilton on the Monday succeeding the Court in the county of Madison.

In the county of Tipton on the Monday succeeding the Court in the county of Hamilton.

In the county of Howard on the Monday succeeding the Court in the county of Tipton.

Sec. 2. If the business thereof require it, said Court shall sit in the county of Blackford two weeks at each term; in the county of Delaware three weeks at each term; in the county of Madison three weeks at each term; in the county of Hamilton three weeks at each term; in the county of Tipton two weeks at each term; and in the county of Howard two weeks at each term.

Sec. 3. Whereas, owing to the large amount of unfinished business now pending in the several counties in said Circuit, it is hereby declared that an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

In which they ask the concurrence of the Senate, and when so amended they recommend the passage of the bill.

Mr. Bennett moved to recommit the reports aforesaid, of the Committee on the Organization of Courts and the bills therein contained, to a select committee, to consist of the Senators whose Circuits are effected by the proposed change.

The question being, on the motion of Mr. Bennett, to recommit.

Mr. Bonham moved the previous question.

Which was seconded by the Senate.

The question then being shall the main question be now put?

It was agreed to.

The question then being, shall the reports and bills be recommitted to the select committee.

The ayes and noes were demanded by Messrs. Oyler and Bonham :

Those who voted in the affirmative were,

Messrs. Barker, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Huey, Huffman, Hyatt, Jaquess, Kinley, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, and Turner—37.

Those who voted in the negative were,

Messrs. Bellamy, Houghton, Oyler, Ward, and Wolcott—5.

So the motion to recommit prevailed.

The President appointed Messrs. Richmond, Robinson, Brown, Bonham, Reagan, Mason, and Ward, said select committee.

Mr. Reagan, Chairman of a Select Committee, made the following report :

MR. PRESIDENT :

The Committee on Mileage of the members of the Senate, beg leave to submit the following report :

Setting forth the number of miles necessarily traveled by Senators to reach the Capitol, on the most direct, usually traveled, route. Doubling this distance, gives the total distance traveled :

F. G. Armstrong,.....	Carroll county.....	92 miles.....	Total, 184
James Barker,..	Pike county.....	175 miles.....	Total, 350
F. G. Bellamy,.....	Switzerland county.	108 miles.....	Total, 216
T. W. Bennett,.....	Union county.....	80 miles.....	Total, 160
W. A. Bonham,.....	Blackford county....	92½ miles.....	Total, 185
J. A. Bowman,.....	Washington county.	144 miles.....	Total, 288
D. R. Brown,.....	Hamilton county...	23 miles.....	Total, 46
T. J. Cason,.....	Boone county.....	28 miles.....	Total, 56
W. W. Carson,.....	Allen county..	150 miles.....	Total, 300
Firman Church,	Porter county.....	150 miles.....	Total, 300
J. H. Cravens,.....	Jefferson county....	85 miles.....	Total, 170

W. A. Cullen,.....	Rush county	50 miles.....	Total, 100
Will Cumback,.....	Decatur county.....	45 miles.....	Total, 90
W. G. English,.....	Scott county.....	100 miles.....	Total, 200
Thomas Gifford,.....	Franklin county.....	135 miles.....	Total, 270
B. W. Hanna,.....	Vigo county.....	74 miles.....	Total, 148
Anson Houghton,.....	Martin county.....	166 miles.....	Total, 332
G. V. Howk,.....	Floyd county.....	113 miles.....	Total, 226
Robert Huey,.....	Jay county.....	110 miles.....	Total, 220
Elijah Huffman,.....	Dearborn county...	95 miles.....	Total, 190
J. M. Humphreys,.....	Greene county.....	122 miles.....	Total, 244
John Hunt,.....	Madison county.....	40 miles.....	Total, 80
T. C. Jaquess,.....	Posey county.....	200 miles.....	Total, 400
S. F. Johnson,.....	Spencer county...	256 miles.....	Total, 512
Isacc Kinley,.....	Wayne county.....	70 miles.....	Total, 140
T. G. Lee,.....	Bartholomew co....	50 miles	Total, 100
Abner Lewis,	Elkhart county.....	250 miles.....	Total, 500
J. S. Mason,	Hancock county...	21 miles.....	Total, 42
James Milligan,.....	Montgomery co....	100 miles.....	Total, 200
J. W. Newlin,.....	Fountain county...	87 miles.....	Total, 174
J. B. Niles,	Laporte county....	158 miles.....	Total, 316
E. B. Noyes,.....	Steuben county....	288 miles.....	Total, 576
S. P. Oyler,.....	Johnson county...	21 miles.....	Total, 42
C. S. Parrish,.....	Wabash county....	90 miles.....	Total, 180
Thomas Reagan,.....	Henry county.....	41 miles.....	Total, 82
John Reynolds,.....	St. Joseph county	172 miles.....	Total, 344
J. N. Rice,.....	Parke county.....	100 miles.....	Total, 200
N. P. Richmond,.....	Howard county...	62½ miles.....	Total, 125
W. F. Sherrod,.....	Orange county...	158 miles.....	Total, 316
Wilson Smith,.....	Huntington co'nty	108 miles.....	Total, 216
Athol Staggs,.....	Clay county.....	89 miles.....	Total, 178
John A. Stein,.....	Tippecanoe co'nty	65 miles	Total, 130
William Taggart,.....	Brown county.....	64 miles.....	Total, 128
S. S. Terry,.....	Fulton county.....	110 miles.....	Total, 220
W. S. Turner,.....	Daviess county...	155 miles.....	Total, 310
Thomas Ward,.....	Randolph county.	75 miles.....	Total, 150
Anson Wolcott,.....	White county.....	97 miles.....	Total, 194
James Vawter,.....	Jennings county..	64 miles.....	Total, 128
M. S. Robinson,.....	Madison county...	36 miles.....	Total, 72

Which report was concurred in.

Mr. Cravens, Chairman of a select Committee, made the following report :

MR. PRESIDENT :

The select committee, to whom was referred, the subject matter of finding suitable and safe rooms, for the accommodation of the various State officers, have had the same under consideration, and respectfully submit the the following, as the result, in part of that investigation :

Your committee has examined the building, now occupied by the Treasurer, Auditor and Secretary of State, and unanimously express the opinion, that said building is not only insufficient, inconvenient and illy adapted to the purposes for which it is used, but that it is in a high degree, insecure, as against either burglars or fire.

Your committee would further respectfully suggest that the Supreme Court is now, and has been without any of the conveniences, or even necessary accommodations, that should belong to, and be enjoyed by such tribunal.

The want of a suitable Court room has for years been a just cause of complaint. The Clerk and Sheriff have been left to make such provision from time to time, as in their judgment necessities rendered indispensable, without the judges have been compelled to seek for and find uncomfortable chambers in such unoccupied building or buildings, as chance or accident might throw in the way. In view of the above facts, your committee examined several buildings, receiving from their respective proprietors proposals, embracing the terms upon which they would let the same to the State.

Among the propositions submitted for the consideration of your committee, the following is regarded as the most favorable, and your committee would respectfully recommend a lease of the premises therein, named for the term of ten years :

The proposition referred to, is as follows :

Hon. G. W. Geisendorff, Chairman committee, House of Representatives, on buildings for State offices. The undersigned propose to lease to the State of Indiana, for a term of years, at \$4,500 per annum, their three story brick building, situated on the corner of Tennessee and Market streets. The building is seventy-seven feet on Tennessee street, and sixty feet on Market street; contains four

rooms on the ground floor, eighteen by sixty feet; eight rooms on second floor, eighteen by twenty feet; four rooms, ten by twelve feet; same on third floor; being in all twenty-eight rooms. Cellar and stone foundation under the whole building. They propose to build a room for the use of the State officers, as a depository for stationery, without any additional charge for rent. Possession can be had immediately.

W. P. & E. P. GALLUP,

INDIANAPOLIS, January 23, 1867.

This building it is thought will amply accommodate the Auditor, Treasurer, Secretary, Adjutant General, Superintendent of Public Instruction, Attorney General, with several surplus rooms that may be employed for the use of legislative committees.

Some of the members of the Joint Committee thought it practicable to arrange a portion of this building for the purposes of the Supreme Court, but on this part of the duty of the Committee, it is deemed advisable to ask for further time to determine, and report on this branch of the subject, and ask for the adoption of the following resolution:

Resolved, By the Senate (the House of Representatives concurring.) That the Auditor of State be, and he is hereby authorized and directed on behalf of the State, to contract with and lease from W. P. & E. P. Gallup the premises named in their proposal as above set out for the period of ten years, at a sum not to exceed the amount therein named subject to the approval of the Governor, and that the offices above named and the property belonging to the same, be removed into the said building at the earliest practicable period.

Mr. Cullen moved that the report be laid on the table, and made the special order for to-morrow at 3 o'clock P. M.

Which was agreed to.

Mr. Hanna asked, and obtained leave of absence for Mr. Huffman.

Mr. Richmond asked, and obtained leave of absence for Mr. Jaquess.

Mr. English asked, and obtained leave, to record his vote Senate bill No. 7—a bill repealing an act to enforce the 13th article of the Constitution.

Mr. English voted no.

Leave being granted Messrs. Milligan and Robinson to record their votes on Senate bill No. 7, a bill repealing an act to enforce the 13th article of the Constitution,

Messrs. Milligan and Robinson voted aye.

On motion, by Mr. Gifford, the Senate adjourned.

THURSDAY AFTERNOON, 2 O'CLOCK, }
January 31, 1867.

The Senate met.

On motion by Mr. Parrish the reading of the Journal of yesterday was dispensed with.

The President laid before the Senate the following communication from the Auditor of State and accompanying statement:

HON. WILL. CUMBACK,

President of the Senate:

SIR:—In reply to a resolution adopted by the Senate on the 28th inst., I have the honor to transmit statements showing the warrants drawn upon the State Treasury in the payment of the expenses of the Military Agencies at Indianapolis and Washington City.

These warrants were issued upon the order of the Governor, under section 2 of "An act for the relief of the families of soldiers," &c., approved March 4, 1865, and section 4 of an act repealing said act and "providing for the collection and disposition of the taxes levied in pursuance thereof," approved December 20, 1865, and paid out of the Five Per Cent. of said tax, which, by the terms of said act, was required to be paid into the State Treasury.

It is hardly necessary to add, that the vouchers, in proper form, and showing in detail each item of the expenses of these agencies, and the necessity therefor, are on file in the office and subject to the inspection of any committee of the Legislature.

I deem it proper also to state that on the 1st of February, 1866, all the offices of the military agencies for the care of sick and wounded soldiers and the distribution of supplies were closed, and the agencies at Indianapolis and Washington were continued for the collection of claims due our soldiers, their widows and orphans, free of charge.

Very respectfully,

Your obedient servant,

T. B. McCARTY,

Auditor of State.

Mr. Stein moved that the communication be laid upon the table.
Which was agreed to.

The hour having arrived for the consideration of the special order,
being

Senate bill No 84. A bill relative to the salaries of public officers,
and providing the manner of paying the same, and the manner of re-
imbursing the State for an increase of salaries, and the report of the
Judiciary Committee thereon.

The question being, Shall the report of the committee be con-
curred in?

Mr. Cullen moved to postpone the further consideration of the bill
and report until to-morrow at 3 o'clock P. M., and that it be made
the special order for that hour.

Which was agreed to.

Mr. Niles moved to take from the table and recommit Senate bill
No. 122, "A bill regulating the practice of Dentistry in the State
of Indiana," to the Committee on the Judiciary.

Which was agreed to.

REPORTS OF STANDING COMMITTEES.

Mr. Mason, from the Committee on the Judiciary, made the follow-
ing report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill
No. 66, a bill to amend an act entitled "An act to revise, simplify,
and abridge the rules, practice, pleadings, and forms in civil cases in
the Courts of this State, to abolish distinct forms of action at law,
and to provide for the administration of justice in a uniform mode of
pleading and practice, without distinction between law and equity,"
beg leave to report the same back to the Senate and recommend that
it be laid on the table.

Which was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 13, "A bill to authorize and provide for changes of venue in civil actions in certain cases," have had the same under consideration, and now report it to the Senate with the following amendments:

1st. Before the word "district," wherever the same occurs in the bill, insert the words "Circuit or."

2d. After the word "action," in the sixth line of the first page insert the words "brought for false imprisonment, malicious prosecution, assault and battery, libel or slander."

3d. After the the 3d section add the following sections:

SEC. 4. No change of venue, which may under existing laws have been taken in actions now pending, shall prejudice the right of either party to take another change of venue under the provisions of this act.

SEC. 5. Whenever a change of venue is taken, under this act, all witnesses shall be compelled to attend in obedience to summons, whether residing in the county to which the venue is changed or not; but no witness shall be compelled to attend before a court or judge out of the county where he or she resides, unless his or her legal fees for traveling to and from the court, and one day's attendance are paid or tendered before or at the time of the service of the summons.

The said amendments being adopted, the Committee recommend the passage of the bill.

The report was concurred in, the amendments were adopted, and the bill contained in the foregoing report ordered to be engrossed for a third reading on to-morrow.

Mr. Hanna, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 104, a bill conferring upon Bishops certain corporate powers, and defining and limiting their rights, powers, and duties under this act, having properly considered the same, have directed me to report the same back to the Senate, and recommend its passage.

The question being, shall the report of the Committee on Corporations be concurred in ?

The ayes and noes were demanded by Messrs. Hanna and Bennett.

Those who voted in the affirmative were,

Messrs. Barker, Church, English, Gifford, Hanna, Huey, Humphreys, Johnson, Lee, Mason, Newlin, Oyler, Parrish, Reynolds, Rice, Sherrod, Smith, Staggs, Stein, Taggart, Turner, Vawter, Ward and Wolcott—24.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Borham, Cason, Carson, Cravens, Cullen, Houghton, Hyatt, Kinley, Lewis, Milligan, Niles, Noyes, Reagan, Robinson, Terry, Thompson and Mr. President—19.

So the report of the Committee was concurred in.

Senate bill No. 104, contained in the foregoing report was then read a second time.

Mr. Vawter moved that the bill be ordered to be engrossed for a third reading on to-morrow.

The ayes and noes being demanded by Messrs. Bennett and Cullen,

Those who voted in the affirmative were,

Messrs. Barker, Carson, Church, English, Gifford, Hanna, Huey, Humphreys, Johnson, Lee, Mason, Newlin, Oyler, Parrish, Reynolds,

Rice, Sherrod, Smith, Staggs, Stein, Taggart, Turner, Vawter, Ward and Wolcott—25.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Cason, Cullen, Houghton, Hyatt, Kinley, Lewis, Milligan, Niles, Noyes, Reagan, Richmond, Robinson, Terry, Thompson and Mr. President—18.

So the bill was ordered to be engrossed for a third reading on tomorrow.

The hour of three o'clock, P. M., having arrived, the special order for that hour being the report of a Select Joint Committee on procuring rooms for the State officers, was taken up.

Mr. Hanna moved to postpone the further consideration of the report until Tuesday at two o'clock, P. M., and that it be made the special order for that hour.

Which was agreed to.

Mr. Cason moved to take Senate bill No. 91, a bill to assert the control of the State over railroad corporations, to fix the rate of freight, and to prevent extortions, and to provide rules and by-laws for such roads, and for the punishment for the violation thereof, and for the licensing of locomotive engineers, from the table.

Which was agreed to, and the foregoing bill referred to the Committee on the Judiciary.

Mr. Johnson, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 131, A bill to amend section 784 of an act entitled an "Act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases, in the Courts of this State, and to abolish distinct forms of action at law, and to provide for the administration of justice, in a uniform mode of pleading and practice without distinction between law and equity," have had the same under consideration and

instructed me to report the same back to the Senate without amendments, and recommend its passage.

Which was concurred in.

Mr. Terry, from the Committee on Swamp Lands, made the following report:

MR. PRESIDENT:

The Committee on Swamp Lands, to whom was referred Senate bill No. 94, a bill for the protection of fur bearing animals, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it be indefinitely postponed.

Mr. Rice moved to lay the report and the bill therein contained on the table.

Which was agreed to.

Mr. Reagan, Chairman of the Committee on Temperance, made the following report:

MR. PRESIDENT:

The Committee on Temperance, to whom was referred Senate bill No. 46, a bill to regulate and license the sale of intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof, have had the same under consideration, and have directed me to report the same back to the Senate with the following amendments:

Amend section 7 by adding thereto the words "to be recovered in the name of the Township Trustee on the information of any person."

Amend section 10 by adding thereto the words "on the second conviction."

Amend section 13 by adding thereto the words "and upon a second conviction shall forfeit his license," and when so amended would recommend its passage.

Which report was concurred in.

S. J.—17.

Mr. Cullen moved to postpone the further consideration of the bill contained in the foregoing report, and the pending amendments, until next Wednesday at 2 o'clock P. M., and that it be made the special order for that hour, and that 300 copies of the bill, one hundred for the use of the Senate and two hundred for the use of the House, be ordered to be printed.

Which was agreed to.

Mr. Richmond, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate bill No. 61, a bill to amend section thirty of "An act to amend an act entitled 'an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties and those of county and township officers in relation thereto,'" approved March, 1859, which last mentioned act was approved December 20, 1865, have had the same under consideration, and have directed me to report the same back to the Senate and recommend its passage.

Which was concurred in.

Mr. Lewis, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate bill No. 74, a bill amendatory of an act entitled "An act to provide for the more uniform method of doing Township Business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act," approved February 18, 1859, have had the same under consideration, and have directed me to report the same back with the following amendment:

Strike out "section third," and when so amended recommend its passage.

Which report was concurred in, and the amendments therein contained adopted.

Mr. Ward, from the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 53, a bill to amend the first section of an act entitled "An act to amend an act entitled an act to amend the sixth section of an act providing for the organization of County Boards, and prescribing some of their powers and duties, which first above mentioned act was approved June 17, 1852; the said second mentioned act was approved February 16, 1859; which latter act last above mentioned was approved March 9, 1861, and which act hereby amended was approved March 7, 1863," have had the same under consideration, and have directed me to return the bill to the Senate, without amendment, and recommend its passage.

Which was concurred in.

Mr. Lewis, Chairman from the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 95, a bill to amend an act entitled "An act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859, approved December 20, 1865, have had the same under consideration, and have instructed me to report the same back to the Senate, recommending its passage.

Which was concurred in.

Mr. Richmond, from the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate Bill No. 101. a bill to amend section 5 of "An act to provide for a uniform mode of doing township business," have had the same under consideration, and have directed me to report the

same back to the Senate, and recommend that the same be indefinitely postponed, for the reason that a bill has already been reported, by the Committee, containing the provisions of this bill.

Which was concurred in, and the bill was indefinitely postponed.

Mr. Milligan, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 16, a bill defining a legal day, and prescribing the number of hours of labor in a day's work, have instructed me report said bill back, and recommend it to lie on the table.

Mr. Bennett moved, that the bill and report of the Committee thereon, be made the special order for Thursday next, at 2 o'clock P. M.

Which was agreed to.

Mr. Terry, from the Committee on the Rights and Privileges of the Inhabitants of the State, made the following report :

MR. PRESIDENT :

The Committee to whom was referred Senate bill No. 6, a bill to amend section 15 of an act entitled "An act providing for and regulating the relation of master and apprentice," have had the same under consideration, and report the same back to the Senate, and recommend that it be indefinitely postponed.

Which was concurred in.

Mr. Terry, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 110, a bill to repeal an act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of

said act by officers and others, and also repealing an act to license dogs, approved March 11, 1861, have had the same under consideration, and order the bill reported back to the Senate and recommend that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Mason, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

Mr. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill N^o. 113, a bill to amend the six hundred and forty-seventh section, and repeal the sixth hundred and forty-ninth section of an act entitled "An act to revise, simplify, and abridge the rules, practice and pleadings, and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleadings and practice without distinction between law and equity, passed June 18, A. D. 1852, have had the same under consideration, and direct me to return the same to the Senate and recommend that it be indefinitely postponed.

Which was concurred in, and the bill indefinitely postponed.

Mr. Bellamy asked and obtained leave of absence for Mr. Lewis.

RESOLUTIONS.

Mr. Richmond offered the following resolution :

Resolved, That there be a committee of three appointed by the President, whose duty it shall be to inquire and report to this Senate how much, if any, of the dividends and profits of the Terre Haute and Richmond Railroad are due the Common School Fund of this State, under the 23d section of the Charter of said road; and also what is due from said road to the State under the 30th section of said Charter; and that said committee have full power and authority to send for persons, papers and books contemplated by the provisions of said Charter.

Which was agreed to.

And the President appointed Messrs. Richmond, Bennett and Carson said committee.

Mr. Bonham offered the following resolution :

Resolved, That when the Senate adjourn it adjourn to meet to-morrow morning at 9 o'clock A. M.

Which was not agreed to.

Mr. Parrish offered the following resolution :

Resolved, That Milton S. Robinson, Senator elect from the counties of Madison and Grant, be furnished with one copy of Gavin & Hord's Revised Statutes, twenty dollars worth of stationery, six dollars worth of postage stamps, Journals and Brevier Reports, and Acts of General and Special Session of 1865, to be provided as said articles are now furnished to the members of the Senate.

Which was agreed to.

Mr. Terry offered the following :

Resolved, by the General Assembly of the State of Indiana, That the Auditor of State be directed to inquire of the Auditors of the several counties of the State, 1st, What number of incurable insane are now provided for at the public expense in their respective counties. 2d. Where the said insane are kept, and in what manner.

Resolved, That from the report, so obtained from the several County Auditors, the Auditor of State, be directed to prepare an abstract for the use of the General Assembly.

Which was agreed to.

Ordered, That the Secretary inform the House thereof.

JOINT RESOLUTIONS.

Mr. Wolcott introduced

Senate Joint Resolution No. 5—a Joint Resolution in regard to destroying certain bank bills, and plates in the possession of the Auditor of State.

Which was read a first time, and referred to the Committee on Finance.

BILLS INTRODUCED.

Mr. Carson introduced

Senate bill No. 132. A bill relating to witnesses.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Milligan introduced

Senate bill No. 133. A bill to provide for, and authorizing the completion of records of the transfer of real estate, and completing the chain of title thereto.

Which was read a first time, and referred to the Committee on County and Township Business.

Mr. Oyler introduced

Senate bill No. 134. A bill authorizing and empowering incorporated towns to regulate, and license the sale of spirituous, vinous, malt and intoxicating liquors within their corporate limits, and prescribing penalties for the violation thereof.

Which was read a first time, and referred to the Committee on Temperance.

Mr. Rice introduced

Senate bill No. 135. A bill vacating portions of highways in certain cases.

Which was read a first time, and referred to the Committee on Roads.

Mr. Mason introduced

Senate bill No. 136. A bill to amend section three, and repeal section eighteen of an act entitled "An act to allow County Commissioners to organize turnpike companies, when three-fifths of the persons representing the real estate within prescribed circuits petition for the same and to levy a tax for its construction and provide for the same to be free," approved March 6, 1865.

Which was read a first time, and referred to the Committee on County and Township Business.

Mr. Bonham introduced

Senate bill No. 137. A bill to amend section thirty-three of

an act entitled "An act to revise, simplify, and abridge the rules, practices, pleadings and forms in civil actions in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Mason introduced

Senate bill No. 138. A bill entitled "A bill to amend section two of an act to discourage the keeping of useless and sheep-killing dogs, and to provide penalties for the violation of any of the provisions of said act, by officers and others, and also repealing an act to license dogs, approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act for the protection of sheep, approved June 15, 1865."

Which was read a first time and referred to the Committee on County and Township Business.

Mr. Stein introduced

Senate bill No. 139. A bill to carry into effect the benefits of an act of Congress, approved July 5, 1862, entitled "An act donating public lands to the several States and Territories which may provide Colleges for the benefit of agriculture and the mechanic arts, and to establish and locate a College for the promotion of general science and the teaching of such branches of learning as are related to agriculture and the mechanic arts, and military tactics, and for the acceptance of donations for the benefit of such College."

Which was read a first time and referred to the Committee on Agricultural College.

Mr. Kinley introduced

Senate bill No. 140. A bill authorizing Insurance Companies to re-insure their risks, and close up their business.

Which was read a first time and referred to the Committee on Corporations.

Mr. Milligan introduced

Senate bill No. 141. A bill to define the crime of drunkenness,

and to provide penalties therefor, and matters properly connected therewith.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Stein introduced

Senate bill No. 142. A bill to provide for the payment of certain monies due from the State to the firm of Moorehead, Hall & Co., and H. Wright and Jacob Barcus.

Which was read a first time and referred to the Committee on Canals and Internal Improvements.

A message from the House, by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House, to inform the Senate, that he has signed the following enrolled act of the Senate, to-wit:

Enrolled Senate act No. 21, entitled "An act supplemental to an act approved March 5, 1859, entitled an act authorizing the purchasers of railroads, plank roads, turnpike roads and macadamized roads, or parts thereof, under mortgaged sale or sales made according to the terms of deeds of trusts, to organize as incorporated companies, and prescribing their powers and duties, extending the time provided in said act for the organization of such district corporations by such purchasers."

Also, that the House has passed the following engrossed bills thereof, to-wit:

Engrossed House bill No. 17, entitled "An act in relation to conveyances of land by persons of unsound mind."

Engrossed House bill No. 39, entitled "A bill to equalize and declare valid and effectual, all the orders, judgments and other proceedings, made, rendered, and had by and before the Common Pleas Court of Clinton county in this State, held in the Court House of said county, in the months of October and November, in the year one thousand eight hundred and sixty-five, and then and there, by and before the several Judges of the said Court."

Engrossed House bill No. 93, entitled "A bill forbidding the locking of railroad cars in certain cases, and providing punishment therefor."

Engrossed House bill No. 24, entitled "A bill to amend the ninth section of an act for the election of Clerks of the Circuit Court, and prescribing some of their duties," approved June 7, 1852, to require the Clerk to deliver over all the books, papers and records in his hands to his successor.

Engrossed House bill No. 40, entitled "A bill to amend an act entitled an act to revise, simplify and abridge, the rules, practice, pleadings, and forms in civil cases, in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Engrossed House bill No. 72, entitled "A bill to amend an act entitled an act to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each of said Prisons, directing what counties shall send their convicts to the Northern State Prison, and providing for carrying on the work in building said Northern State Prison, and making appropriations for the support of said Prison."

Mr. Sherrod asked and obtained leave to record his vote against the passage of Senate bill No. 7, a bill to repeal an act to enforce the 13th Article of the Constitution.

By consent of the Senate, Mr. Cullen presented a petition from William Eichelberger and others, asking indemnification for the failure of the State to furnish water for their Mills according to its contract.

Which, on motion by Mr. Cullen, was referred to the Committee on Canals and Internal Improvements.

On motion by Mr. Rice, the Senate adjourned.

FRIDAY AFTERNOON, 2 o'clock, }
February 1, 1867. }

The Senate met.

On motion by Mr. Milligan, the reading of the journal of yesterday was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Milligan presented a petition purporting to be from many rum-sellers, on the subject of temperance.

Mr. Oyler moved that the petition be rejected.

The ayes and noes being demanded by Messrs. Oyler and Newlin.

Those who voted in the affirmative were,

Messrs. Bellamy, Brown, Church, Cullen, Newlin, Oyler, and Taggart—7.

Those who voted in the negative were,

Messrs. Barker, Bennett, Bonham, Carson, English, Gifford, Hanna, Houghton, Huey, Humphreys, Kinley, Lee, Mason, Milligan, Niles, Parrish, Reagan, Reynolds, Rice, Robinson, Smith, Staggs, Stein, Thompson, Ward, Wolcott, and Mr. President—27.

So the petition was not rejected.

Mr. Reagan moved that the petition be referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Which was not agreed to.

On motion by Mr. Thompson, the petition was referred to the Committee on Temperance.

Mr. Bonham presented a petition on the subject of Temperance.

Which was referred to the Committee on Temperance.

The President laid before the Senate a petition from sundry citizens of Indiana praying the passage of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Kinley presented a petition from four thousand citizens of Wayne county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Richmond presented to the Senate a communication from I. N. Butcher.

Which was referred without reading to the Committee on Education.

REPORTS FROM STANDING COMMITTEES.

Mr. Kinley, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education, to whom was referred Senate bill No. 52, a bill to repeal an act entitled "An act to amend section 35 of an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, approved December 20, 1865, have had the same under consideration, and instructed me to report it back to the Senate, with the recommendation that it lie upon the table.

Which report was concurred in.

Mr. Kinley, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education, to whom was referred Senate bill No. 111—entitled "An act to authorize Township Trustees, Trustees of incorporated towns and common council of cities to levy a tax for

school purposes;" have had the same under consideration, and instructed me to report it back to the Senate with the recommendation, that it be put on its passage.

Which report was concurred in.

Mr. Bennett, Chairman of the Committee on Congressional Apportionment, made the following report :

MR. PRESIDENT :

The Committee on Congressional Apportionment, to whom was referred, Senate bills No. 1, 25, 27 and 57—entitled acts apportioning the State for Congressional purposes, beg leave to report that they have had all of said bills under consideration, and that they propose to amend Senate bill No. 1, by striking out from the same, all after the second section thereof, and inserting the following amendments to-wit :

SECTION 3. The counties of Posey, Vanderburg, Warrick, Spencer, Perry, Pike, Gibson, Knox and Daviess, shall constitute the first district.

SECTION 4. The counties of Dubois, Crawford, Harrison, Floyd, Clark, Scott, Washington, Orange, Martin and Jackson, shall constitute the second district.

SECTION 5. The counties of Jefferson, Switzerland, Ohio, Dearborn, Ripley, Jennings, Bartholomew and Decatur, shall constitute the third district.

SECTION 6. The counties of Shelby, Rush, Franklin, Union, Fayette, Wayne, Henry and Hancock, shall constitute the fourth district.

SECTION 7. The counties of Brown, Morgan, Johnson, Marion, Hendricks and Putnam, shall constitute the fifth district.

SECTION 8. The counties of Sullivan, Greene, Lawrence, Monroe, Owen, Clay, Vigo, Parke and Vermillion, shall constitute the sixth district.

SECTION 9. The counties of Fountain, Montgomery, Boone, Clinton, Tippecanoe, Warren, Benton and Carroll, shall constitute the seventh district.

SECTION 10. That the counties of Hamilton, Madison, Howard, Grant, Tipton, Miami and Cass, shall constitute the eighth district.

SECTION 11. The counties of Delaware, Randolph, Jay, Blackford, Wells, Adams, Allen, Huntington and Wabash, shall constitute the ninth district.

SECTION 12. The counties of Kosciusko, Whitley, Noble, Dekalb, Steuben, Lagrange and Elkhart, shall constitute the tenth district.

SECTION 13. The counties of White, Newton, Jasper, Pulaski, Fulton, Marshall, Starke, St. Joseph, LaPorte, Porter and Lake, shall constitute the eleventh district.

Mr. Bennett moved to postpone the further consideration of the bill, and report until Tuesday next, at 2½ o'clock P. M., and that they be made the special order for that hour.

Which was agreed to.

REPORTS FROM SELECT COMMITTEES.

Mr. Richmond, Chairman, from the select committee, made the following report:

MR. PRESIDENT:

The select committee, to whom was referred Senate bill No. 39—a bill creating the fourteenth Judicial Circuit and fixing the time of holding courts therein; have had the same under consideration, and directed me to report it back to the Senate, with the following amendment:

Strike out of the fifth line of the first section the word fourteenth and insert in lieu thereof, the word seventeenth.

Amend the title by striking out the word "fourteenth" and inserting in lieu thereof, the word seventeenth and when so amended to recommend its passage.

Which report was concurred in, and the amendments adopted.

Mr. Bonham, from a Select Committee, made the following report:

MR. PRESIDENT:

The Select Committee to whom was referred Senate bill No. 42, a

bill defining what counties shall constitute the Seventh Judicial Circuit, and fixing the time of holding Courts therein, have had the same under consideration and directed me to report it back with the following amendments to wit :

Strike out all after the word "Blackford," wherever it occurs in said bill, and insert in lieu thereof the word "Grant."

Amend the second section of said bill by inserting in the second line thereof, after the word "Hancock," the words "three weeks," and after the word "and," in the same line, "in the county of," and after the word "each," in the third line of said section, the words "term thereof," and in the sixth line of said section, strike out the word "two," and insert the word "three," and when so amended to recommend its passage.

Which report was concurred in and the amendments adopted.

Mr. Parrish, from a Select Committee, made the following report :

MR. PRESIDENT :

The Select Committee to whom was referred Senate bill No. 40, "A bill defining what counties shall constitute the 13th Judicial Circuit, and fixing the time of holding court therein," have had the same under consideration and directed me to report it back with the following amendments :

Amend the 1st section by inserting after the words "and Blackford," and after the word "Randolph," in the fifteenth line of said section, insert the words, "and in the county of Blackford on the Mondays succeeding the courts in the county of Jay."

Amend the second section, after the word "terms," in the last line of said section by adding, "and in the county of Blackford three weeks at each term," and when so amended recommend its passage.

Which report was concurred in and the amendments adopted.

RESOLUTIONS.

Mr. Cullen offered the following resolution :

Resolved, That the Librarian be instructed to procure for each Senator, in addition to the amount of stationery already allowed,

one half ream of lithographed letter paper, the same as the sample on which this resolution is written.

Which was agreed to.

Mr. Bonham offered the following resolution :

Resolved, That each Assistant Doorkeeper be allowed six dollars worth of stationery, and three dollars worth of postage stamps, and that each appointed Clerk of the Senate be allowed three dollars worth of postage stamps.

Mr. Hanna moved that the resolution be referred to a Select Committee of three.

Which was agreed to, and the President appointed Messrs. Hanna, Bonham and Oyler, said Select Committee.

The hour having arrived, the special order of the day being Senate bill No. 84, a bill relative to the salaries of public officers, and providing the manner of paying the same, and the manner of re-imbursing the State for an increase of salaries, and the report of the Committee thereon,

Was taken up.

On motion, by Mr. Bennett, the further consideration of the bill and report was postponed until Friday next, at 2 o'clock, P. M., and it was made the special order for that hour.

A message from the House, by Mr. Nixon the Clerk thereof :

Mr. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following Joint Resolution thereof, to-wit :

House Joint Resolution No. 2, entitled, a Joint Resolution instructing our Senators and requesting our Representatives in Congress to use their influence to have the interest-bearing debt of the United States first paid.

Also, that the House has passed the following engrossed bill thereof, to-wit :

Engrossed House bill No. 53, entitled, a bill fixing the time of holding the Common Pleas Court in the county of Grant.

A message from the Governor, by Capt. Commons, his Private Secretary.

Mr. PRESIDENT :

I am directed by the Governor to inform your honorable body that he has approved and signed Joint Resolution No. 1, a Joint Resolution accepting and ratifying certain amendments to the Constitution of the United States, proposed by Congress to the Legislatures of the several States. That the same has been filed in the office of the Secretary of State, and a copy thereof will be forwarded to the Secretary of State of the United States.

Also, enrolled act No. 21, entitled "an act supplemental to an act approved March 5th, 1859, entitled an act authorizing the purchasers of Railroads, Plank roads, Turnpike roads, and Macadamized roads, or parts thereof under mortgaged sale or sales, made according to the terms of deeds of trust, to organize as incorporated companies, and prescribing their powers and duties," extending the time provided in said act for the organization of such distinct corporations by such purchasers.

Also, enrolled act No. 26, an act appropriating seventy-five thousand dollars, to defray the expenses of the Forty-fifth General Assembly.

Also, enrolled act No. 69, an act to make an appropriation for the payment of Sheriff's mileage.

And that the same have been deposited in the office of the Secretary of State.

J. M. COMMONS, *Secretary*.

By unanimous consent of the Senate, Mr. Richmond, Chairman of the Committee on Elections, made the following report :

Mr. PRESIDENT :

The Committee on Elections, to whom was referred Senate bill No. 2—a bill to provide for the registry of voters, and to declare their
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residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and providing compensation for the services of such officers—have had the same under consideration, and have directed me to report said bill back to the Senate, with the following amendments, and, when so amended, to recommend its passage:

Strike out all after the enacting clause, and insert the following, that no person shall be deemed to have acquired a residence in any township, city or ward, so as to entitle him to vote therein, until he shall have been a bonafide inhabitant of such township, city or ward, at least ——— days before the day of election, at which such persons shall offer to vote.

SECTION 2. That there shall be a register of voters for each precinct in the State, of all persons entitled to vote at such precinct, to be made in the following manner. It shall be the duty of the County Auditor of each county to make out, in alphabetical order, a full and complete list of all the white resident voters of each township in his county, and deliver the same to the Township Trustee of the proper township, on, or before, the Monday, next preceding the October election of each year. The Township Trustee and two acting Justices of the Peace, having the oldest commissions for such township, shall constitute the Board of Registry for the formation, correction, and completion of such register. If there are not two acting Justices of the Peace in his township, then the Township Trustee shall appoint one or two persons, as the case may require; being reputable freeholders and householders of the township, to constitute such Board of Registry, and a majority shall constitute a quorum for business.

SECTION 3. It shall be the duty of the Board of Registry to meet at the office of the Township Trustee at 9 o'clock A. M., and they shall first proceed to strike from the list furnished by the Auditor, the names of all persons therein, if any, whom they may ascertain to be minors, or non-residents, of the township; and they shall also proceed to make a list, as hereinafter prescribed, of all persons qualified and entitled to vote at the ensuing election, in the elective precinct of which they are judges or inspectors; which list, when completed, shall constitute and be known as the "register of electors" of said precinct; and said Board may continue their session, for the purpose of making said list, four days, if necessary; provided that

at the last election in said precinct, prior to said meeting, the number of votes cast, in said precinct, exceeded two hundred.

SECTION 4. Said register shall each contain a list of the persons so qualified and entitled to vote in said elective precinct, alphabetically arranged, according to their respective surnames, so as to show, in one column, the name in full length, and in another column, in cities, the residence, by the number of the dwelling, if there be a number, and the name of the street or other location of the dwelling place of each person. It shall be the duty of said Board to enter in said list the names of all persons, residing in their elective districts, whose name appears on the poll list kept in said district at the last preceding election; in cities, the number of the dwelling and name of the street or other location, if the same shall be known to them, or can be ascertained by such Board; and for this purpose, said Board are authorized to take from the office in which they are filed, the poll lists made and filed by the judges or inspectors of such district at the election held next prior to the making of such register.

SECTION 5. In making said list, the Board shall enter thereon, in addition to the names on the poll list, the names of all other persons who are well known to them to be electors in said precinct; and the names of all persons on the poll list who have died or removed from the precinct shall be omitted from said register. The said Board shall complete, as far as practicable, the said register on the day of their meeting aforesaid, and shall make four copies thereof, and certify the register and each of the copies to be a true list of the voters in their precinct, so far as the same are known to them. Within two days thereafter, the said original list, together with the list taken from the office as aforesaid, shall be filed by the Board in the office of the Township Trustee, in the precinct in which said elective precinct may be; or if such elective precinct is in a city, then it shall be filed in the office of the City Clerk of said city; and one copy of said list shall be kept by each of said Judges or Inspectors, and carefully preserved by him for their use on the day or days hereinafter mentioned, for the revision and correction of the same. One copy of said list shall, immediately after its completion, be posted in some conspicuous place where the last preceding election in said precinct was held, and be accessible to any elector who may desire to examine the same or make copies thereof.

SECTION 6. Any person who shall take down, tear down or deface any list, so posted, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of fifty dollars, or by imprisonment in the county jail for the term of sixty days, or by both fine and imprisonment. The Board may in their discretion, cause printed copies of said list to be posted up in such places as they may direct, and may cause the same to be published in some newspaper in the county in which such precinct is situated, at an expense not exceeding one cent for each name on said list.

SECTION 7. In case a new elective precinct shall be formed by the organization of a new township or by the division of any township or ward, or in the incorporation of a city or town, the Judges or inspectors of the election in the new precinct thus formed, may make their registry of electors on the day prescribed by this act, in such manner as a majority of them may direct, and for that purpose may make a list, or cause to be made a certified copy of the poll list or lists, of the district in which such new district is situated, or they may dispense with such list or lists and proceed to make a register of electors from the best means at their command. Said lists shall only embrace the names of such persons as are known to them to be electors in their district, and shall be posted up, and copies thereof made as prescribed in the preceding section, and shall be corrected in the same manner that other lists are corrected.

SECTION 8. The said Board shall again meet on Tuesday of the week preceding the election in said district at the place designated for holding the polls of said election, for the purpose of revising, correcting and completing said lists, and for this purpose, in cities, they shall meet at 8 o'clock in the morning and remain in session until 9 o'clock P. M., of that day and the day following, and in other districts they shall meet at 9 o'clock in the morning and shall remain in session until 4 o'clock P. M., of that day, the proceedings of said board shall be open, and all persons residing and entitled to vote in said precinct, shall be entitled to be heard by said board in relation to corrections or additions to said register, one of the lists so be kept by the Judges or inspectors as aforesaid, shall be used by them on the day or days of making corrections or additions for the purpose of completing the registry for such precincts.

SECTION 10. It shall be the duty of said board at their meeting for revising and correcting said lists, to erase the name of any per-

son inserted therein, who shall be proved by the oath of two legal voters of said precinct to the satisfaction of said board to be a non-resident of said precinct, or otherwise not entitled to vote in said precinct at the election then to be held, any elector residing in said precinct and entitled to vote therein, may appear before said board and require his name to be recorded on said alphabetical list. Any person so requiring his name to be so entered on said list shall make the same statement as to the street and number thereof, and where he resides, required by the provisions of this act of persons offering to vote at elections, and shall be subject to the same penalties for refusing to give such information, or falsely giving the same, and shall also be subject to challenge, either by the Judges or inspectors, or either of them, or by any other elector whose name appears on said alphabetical list, and the same oaths may be administered by the Judges or inspectors as now provided in case of persons offering to vote at an election, and in case no challenge is made of any one requiring his name to be entered on said alphabetical list, or in case of challenge, such person shall make oath that would entitle him to vote in case of challenge at an election, then the name of any such person shall be added to the alphabetical poll list of the last preceding year.

SECTION 11. After said list shall have been fully completed, the said Board shall within three days thereafter cause four copies of the same to be made, each of which shall be certified by them to be a correct list of the voters of their district; one of which shall be filed in the office of the Township Trustee of townships; or if said election district be in a city, it shall be filed in the office of the City Clerk; and one of which copies shall be delivered to each of said Judges or Inspectors. It shall be the duty of said Judges or Inspectors so receiving such lists, carefully to preserve the said lists for their use on election day, and to designate two of their number at the opening of the polls, to check the name of every voter voting in such precinct whose name is on the register. No vote shall be received at any State, County, Town or City Election in this State, if the name of the person offering to vote be not on said register, made on the Tuesday or Wednesday, preceding the election, unless the person offering to vote shall furnish to the Judges of the Election his affidavit, in writing, stating therein that he is an inhabitant of said precinct and entitled to vote therein at such election, and prove by the oath of a householder and registered voter of the precinct in which he offers

his vote, that he knows such person to be an inhabitant of the precinct, and if in any city, giving the residence of such person within said precinct. The oath may be administered by one of the Judges or Inspectors of Election, at the poll where the vote shall be offered, or by any other person authorized to administer oaths, but no person shall be authorized to receive compensation for administering the oath. Said oath shall be preserved and filed in the office of the Township Trustee, or City Clerk; in case there be no Trustee or Clerk, then said oath shall be filed with and preserved by the Judges or Inspectors of the proper precincts. Any person may be challenged, and the same oaths shall be put as now are, or hereafter may be prescribed by law.

SECTION 12. The Clerks at each poll, in addition to the duties now prescribed by law, shall enter on the poll list, kept by them in columns prepared for that purpose, opposite the name of each person voting, the same statement in minutes as herein before required of the Board in making the registry; but such entry is not to be made by them if the registry contains correctly the name and residence of such voter, and in all cases said Clerk shall enter in a column opposite the name of each person not registered, the words "*not registered*" in cities. Every elector, at the time of offering his vote, shall truly state the street in which he resides, and if the house, lodging, or tenement in which he resides is numbered, the number thereof. And the Clerks of the polls, in case the name of such elector is not registered, shall truly enter in the appropriate column of the poll list, opposite the name of the elector, the street in which the elector resides, and the number, in case the house, lodging or tenement is numbered; and if the same is not numbered, then the Clerk shall enter "*not numbered*" in the column of the poll list for entering the number. Any person who shall wilfully make any false statement in relation thereto, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by fine of fifty dollars, or by imprisonment in the county jail in the county, for a period of sixty days, or by both such fine and imprisonment.

SECTION 13. After the canvass of the votes, one of said poll lists, and said register so kept and checked as aforesaid, shall be attached together,, and shall, on the following day, be filed in the Trustee or City Clerk's office, in which said precinct may be, or in case there be no such Trustee or Clerk, then such poll lists and register shall be

filed with, and preserved by, the judges or inspectors to be used by the Board of Registry in making the list of voters at the next election; the other of said poll lists and registers, so kept and checked, (except in town and city elections) shall be returned to the office of the County Clerk of the county in which said precinct may be, at the same time the returns of the election are made.

SECTION 14. The said Board may, if necessary, on the day or days of making the correction of such lists, appoint a clerk to assist them in the discharge of their duties required by this act; and the same oath shall be taken by such clerk as is required by law of clerks of the polls or of elections.

SECTION 15. The registers shall at all times be open to public inspection at the office of the authorities in which they shall be deposited, without charge.

SECTION 16. The members of the Board of Registration and their clerks, shall each receive the same compensation as is now allowed by law for the Township Trustee, for each day actually employed in the making and completing said registry, to be paid to them at the time and in the manner in which they are paid their other fees.

SECTION 17. The said Board shall have the same powers, in preserving order at their meetings, under this act as are given to judges or inspectors of elections, for preserving order on election days; and vacancies in said Board shall be filled in the same manner that vacancies are now filled at elections.

SECTION 18. Any person who shall cause his name to be registered in more than one election precinct, or cause his name to be registered knowing that he is not a qualified voter in the precinct where such registry is made, or shall falsely personate any registered voter, and any person causing, aiding, or abetting any person, in any manner, in either of said acts, shall be deemed guilty of felony and be punished for each and every offense by imprisonment in the State Prison for not less than one year. All intentional false swearing before said Board of Registers, shall be deemed wilfull and corrupt perjury; and on conviction be punished as such. If any member or officer of said Board shall wilfully violate any of the provisions of this act, or be guilty of any fraud in the execution of the duties of his office, he shall be deemed guilty of a felony and punished for

each and every offense by imprisonment in the State Prison, for not less than one year.

SECTION 19. The Secretary of State shall cause this law to be printed in pamphlet form, with suitable forms and instructions for carrying it into effect, together with the general election law of the State and a sufficient number of copies thereof sent to each County Clerk, in every county in this State to supply each of the officers named in this act with a copy. And it shall be the duty of said clerks to immediately transmit a copy of the same to each of the judges or inspectors of election in his county.

SECTION 20. The necessary blanks for making the register required by law shall be prepared by the Secretary of State, and transmitted to the persons entitled to receive them, in the same manner that blank returns of elections are now transmitted.

SECTION 21. After the opening of the polls, at any election, in this State no adjournment shall be had, nor any recess taken until all the votes cast at such election shall have been counted, and the result publicly announced.

SECTION 22. That whereas frauds have been practiced upon the ballot box: to prevent the same, and to secure to the people of this State a fair expression of their wishes at all elections, at the earliest practicable time; an emergency is hereby declared to exist, and this act is declared to be in force from and after its passage.

Mr. Richmond moved to lay the bill on the table, and that three hundred copies, one hundred for the use of the Senate, and two hundred for the use of the House, be ordered printed.

Which was agreed to.

Mr. Cullen moved to pass over the order of business and take up bills on their third reading.

Which was agreed to.

SENATE BILLS ON THIRD READING.

Senate bill No. 29. A bill to define who are competent witnesses in this State.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Johnson, Kinley, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry Thompson, Ward, Wolcott, and Mr. President—26.

Those who voted in the negative were,

Messrs. Barker, Carson, Gifford, Hanna, Huey, Humphreys, Lee, Mason, Newlin, Sherrod, Smith, Staggs, Taggart, Turner and Vawter—15.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 30. A bill to provide for the protection of fish, defining the time in which they shall not be trapped, netted or seined, affixing the penalty for the violation of this act, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Brown, Church, Cravens, Cullen, Gifford, Kinley, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Stein, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—25.

Those who voted in the negative were,

Messrs. Barker, Bonham, Cason, Carson, Hanna, Houghton, Huey, Humphreys, Johnson, Lee, Mason, Sherrod, Staggs and Taggart—14.

So the bill failed to pass for want of a constitutional majority.

Senate bill No. 32. A bill to provide for issuing *capias ad satisfaciendum* when in action for replevin of personal property defend-

ant shall fraudulently conceal, remove, transfer, withhold, or refuse to deliver said property, and providing the manner of proceedings to obtain said writ in certain cases therein specified.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were, .

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, Hanna, Houghton, Johnson, Kinley, Lee, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Vawter, Ward, Wolcott, and Mr. President—36.

Those who voted in the negative were,

Messrs. Barker and Gifford—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 33. A bill to amend sections 10, 13, 14, 15, 16, 17 and 18 of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.

Was read a third time.

The question being, shall the bill pass?

Mr. Hanna moved to postpone the further consideration of the bill until Thursday next at 2 o'clock, p. m., make it the special order for that hour, and that one hundred copies of the bill be printed.

Mr. Bennett moved that the motion of Mr. Hanna to postpone and print be laid on the table.

Which was agreed to.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bonham, Church, Gifford, Lee, Newlin, Parrish, Reagan, Rice, Richmond, Robinson, Staggs, Stein and Thompson—13.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Bennett, Carson, Cason, Cravens, Cullen, English, Hanna, Houghton, Huey, Johnson, Kinley, Mason, Milligan, Niles, Oyler, Reynolds, Sherrod, Smith, Taggart, Terry, Vawter and Mr. President—24.

So the bill did not pass.

Mr. Bennett moved to reconsider the vote just taken on Senate bill No. 33.

Mr. Hanna moved to lay the motion to reconsider on the table.

The ayes and noes being demanded by Messrs. Bennett and Hanna.

Those who voted in the affirmative were,

Messrs. Barker, Carson, Hanna, Huey, Johnson, Milligan, Niles, Reynolds, Sherrod, Smith, Staggs, Taggart, Terry, Turner and Vawter—15.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Cason, Church, Cravens, Cullen, English, Gifford, Kinley, Lee, Mason, Newlin, Oyler, Parrish, Reagan, Rice, Richmond, Robinson, Stein, Thompson and Ward—22.

So the motion to lay the motion, to reconsider on the table, was not agreed to.

The question recurring, on the motion of Mr. Bennett to reconsider the vote on the passage of Senate bill No. 33.

Which was agreed to.

By unanimous consent of the Senate, Mr. Bennett moved to amend Senate bill No. 33 as follows:

Amend by striking out sections 4, 5 and 6.

Which was agreed to, and the amendments adopted.

The question again being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Cason, Church, Cravens, Cullen, English, Gifford, Johnson, Kinley, Mason, Newlin, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Staggs, Stein, Thompson, Ward and Mr. President—26.

Those who voted in the negative were,

Messrs. Barker, Brown, Carson, Hanna, Lec, Niles, Sherrod, Taggart, Terry, Turner and Vawter—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 36. A bill to amend an act entitled "An act to provide for the appointment of a Sheriff of the Supreme Court, and prescribing certain of his duties and fees," approved May 13, 1852.

Was read a third time.

The question being, shall the bill pass?

Mr. Carson moved to postpone the further consideration of the bill until next Tuesday at 4 o'clock P. M., and that it be made the special order for that hour.

Mr. Bonham moved to lay the motion to postpone on the table.

Which was agreed to.

The question recurring, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Church, Cravens, Cullen, Hanna, Kinley, Mason, Newlin, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Thompson and Ward—20.

Those who voted in the negative were,

Messrs. Barker, Carson, English, Gifford, Huey, Milligan, Niles, Rice, Sherrod, Smith, Staggs, Taggart, Terry, Turner and Mr. President—14.

So the bill failed to pass, for want of a constitutional majority.

Senate bill No. 38. A bill to amend section 20 of an act entitled an act to amend an act entitled "An act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved January 20, 1865,

Was read a third time, and, by consent of the Senate, laid on the table.

Senate bill No. 58. A bill to amend an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State,"

Was read a third time.

The question being, Shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, Hanna, Kinley, Mason, Milligan, Newlin, Noyes, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Turner, Vawter, and Mr. President—29.

Those who voted in the negative were,

Messrs. English, Gifford, Huey, Lee, Sherrod, Smith, Staggs, and Taggart—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 43. A bill to amend section 15 of an act entitled "An act to provide for the opening, vacating and change of highways," approved June 17, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Huey, Johnson, Kinley, Lee, Mason, Newlin, Niles, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Staggs, Stein, Taggart, Thompson, Vawter, Wolcott, and Mr. President—33.

Mr. Sherrod voted in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 62. A bill to amend an act entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and their heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852,

Was read a third time.

The question being, Shall the bill pass?

Mr. Cullen moved to lay the bill on the table.

Which was agreed to.

Senate bill No. 70. A bill to amend section 57 of an act for the incorporation of cities, approved December 20, 1865, authorizing subscriptions and donations to aid in the construction of plank roads, macadamized roads, and railroads running into or through such cities, prescribing the manner in which such subscriptions and donations may be made, and for the enforcement thereof,

Was read a third time.

The question being, Shall the bill pass?

Mr. Niles moved to recommit the bill to the Committee on Corporations with the following instructions :

Amend by inserting after the word "roads" in line three page five, the words, "or unless the same be so completed within three years after the date of such petition."

Pending the motion to recommit, the bill and instructions were laid upon the table until Tuesday next at 3 o'clock P. M., and made the special order for that hour.

Mr. Church asked and obtained leave of absence for Mr. Rice.

Mr. Oyler asked and obtained leave of absence for Mr. Terry.

Leave of absence was granted to Mr. Niles.

By consent of the Senate Mr. Vawter offered the following resolution :

Resolved, That the Special Committee, to whom was referred the subject of renting offices for the various State officers, be directed and requested to ascertain and report to this Senate, on or before Tuesday next at 2 o'clock P. M., upon what terms, as to the time and price, the Gallup and Miller buildings, as well as other suitable buildings, can be purchased by the State, and that they be instructed to inquire as to the terms upon which the whole of the buildings now occupied by the State officers can be purchased or rented.

Which was agreed to.

By consent of the Senate, Mr. Brown offered the following resolution :

Resolved, That when the Senate adjourns, it will adjourn to meet on Monday at 2 o'clock P. M.

Which was agreed to.

By consent of the Senate, Mr. Hanna offered the following resolution :

Resolved, That the Select Committee on Public Buildings be instructed to inquire whether the building now occupied by the Auditor,

Secretary and Treasurer of State is not held under a lease of one or two years duration from this date.

Which was agreed to.

Mr. Terry asked and obtained leave of absence for Mr. Houghton.

Mr. Sherrod asked and obtained leave of absence for Mr. Huey.

Mr. Church asked and obtained leave of absence for Mr. Vawter.

Mr. Mason asked and obtained leave of absence for Mr. English.

Mr. Rice asked and obtained leave of absence for Mr. Noyes.

Mr. Smith asked and obtained leave of absence for M. Humphreys.

Mr. Cullen moved to reconsider the vote on his resolution instructing the Librarian to furnish each Senator with a half ream of letter head paper.

Which was agreed to.

Mr. Cullen then asked and obtained leave to withdraw said resolution.

On motion by Mr. Bennett, the Senate adjourned.

MONDAY AFTERNOON, 2 o'clock, }
February 4, 1867. }

The Senate met.

On motion by Mr. Oyler the reading of the Journal was dispensed with.

The President laid before the Senate the following communication :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, Feb'y 2d, 1867. }

Hon. WILL CUMBACK,

President of the Senate.

SIR:—In pursuance of a resolution passed on the 23d ultimo, requesting the Governor to communicate the amount and manner of the expenditure of the Fund collected under the act for the relief of Soldiers' Families, and what amount, if any, of said fund still remains on hand, I beg leave respectfully to say, that from a statement furnished to me by the Auditor of State, it appears that the total amount paid into the State Treasury under the act of December 20th, 1865, is\$84,705 75
That the disbursement made from said fund by Governor Morton, amount in the aggregate to. 57,577 77
Leaving a balance on hand of.....\$27,127 77

If an itemized account of these disbursements is required, it will take some time for the Auditor of State to prepare the same, and if furnished by this Department must be procured through that office.

If it is desired by the Senate that such information should be furnished by this Department, I beg leave to request that I may be speedily informed of the fact.

Your obedient servant,

CONRAD BAKER,

Lieutenant-Governor, acting as Governor.

Which, on motion by Mr. Cravens, was referred to the Committee on Finance.

Mr. Ward asked and obtained leave of absence for Mr. Bellamy.

The hour having arrived, the President announced the Special Order, being,

House bill No. 42. A bill to prevent the breaking of a quorum in the General Assembly, and prescribing punishment therefor.

Mr. Cravens moved that the Special Order be passed informally.

Mr. Gifford moved that the consideration of the Special Order be postponed to the 9th of March, at 2 o'clock P. M.

Which was not agreed to.

The motion of Mr. Cravens to pass it informally,

Was then agreed to.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Bonham presented communications on the subject of temperance.

Which were referred, without reading, to the Committee on Temperance.

Mr. Kinley presented a petition from sundry citizens of Boone county, praying for the repeal of the black laws, and that the property of colored people be no longer exempt from taxation, and their children be permitted to enjoy the benefits of a free school education.

Which was referred to the Committee on Education.

The President laid before the Senate, a petition from sundry citizens of Indiana on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Ward presented a petition on the subject of temperance.
Which was referred to the Committee on Temperance.

BILLS INTRODUCED.

Mr. Thompson introduced

Senate bill No. 143. A bill to amend an act entitled "An act for the incorporation of High Schools, Academies, Colleges, Universities, Theological and Missionary Boards, approved February 28, 1855.

Which was read a first time, and referred to the Committee on Education.

Mr. Robinson introduced

Senate bill No. 144. A bill to provide for impartially impaneling juries in certain cases.

Which was read a first time, and referred to the Committee on the Organization of Courts.

Mr. Carson introduced

Senate bill No. 145. A bill to amend section 1 of an act entitled "An act to provide a State Debt Sinking Fund for the payment of the principal and interest of the five and two and one-half per cent. stocks of the State therein named, and giving priority of payment to the holders of the two and one-half per cent. stocks of the State of Indiana, prescribing the duties of the Auditor, Treasurer and Agent of State in relation thereto, providing for a Clerk of said State Debt Sinking Fund and fixing his salary, and providing a penalty for the violation of its provisions, abolishing the Board of Sinking Fund Commissioners, and all offices connected therewith, and the office of the Agent of State in the City of New York; to invest the moneys belonging to the Sinking Fund in the stocks of the State, transferring the business of said Board of Sinking Fund Commissioners to the Auditor and Treasurer of State, providing that the tax therein levied shall be taken and considered as part of the tax levied under an act, entitled "an act to raise revenue for State purposes for the years one thousand eight hundred and sixty-five, and one thousand eight hundred and sixty-six," approved March 2d, 1865, and declaring an emergency for the immediate taking effect of this act, approved December 21st, 1865.

Which was read a first time, and referred to the Committee on Finance.

Mr. Carson introduced

Senate bill No. 146. A bill to amend section one of an act entitled "an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.

Which was read a first time, and referred to the Committee on Education.

Mr. Church introduced

Senate bill No. 147. A bill to amend the fifth clause or subdivision of section seven, repealing the seventh clause, and to amend section eleven of an act regulating the granting divorces, nullification of marriages, and decrees, and orders of Court incident thereto, approved May 13th, 1852, and to amend section one and two of an act entitled an act to amend the sixth section, and the third clause of the seventh section, and the twelfth, fourteenth, nineteenth and twentieth sections, entitled an act regulating the granting of divorces, nullification of marriages, and decrees, and orders of Court incident thereto, and to provide for opening up decrees of divorce in certain cases, approved May 13th, 1852, approved March 4th, 1859.

Which was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Reynolds introduced

Senate bill No. 148. A bill to amend the charter of the Grapevine Plank Road Company.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Cason introduced.

Senate bill No. 149. A bill to amend the second section of an act for the incorporation of manufacturing and mining companies and companies for mechanical, chemical and building purposes, approved

May 20, 1852—by providing, that any companies which may have been, or shall be incorporated in this State, for any of the purposes contemplated in said act, with a limitation of the amount or location of its real estate, may take hold and convey any amount of real estate, which may be necessary to carry on the operations of such company, whether such real estate be situate in this State or elsewhere.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Cravens introduced

Senate bill No. 150. A bill to amend section fourteen of an act entitled "An act concerning promissory notes and bills of exchange," approved May 12, 1852.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Turner introduced

Senate bill No. 151. A bill amending an act touching the relation of Guardian and Ward, and regulating suits on bonds of guardians removing from the State.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Robinson introduced

Senate bill No. 152. A bill to legalize and make valid certain county bonds, and to provide for the payment of the same.

Which was read a first time, and referred the Committee on the Judiciary.

Mr. Wolcott introduced

Senate bill No. 153. A bill to provide for the incorporation of Religious Societies, and defining their powers.

Which was read a first time, and referred to the Committee on Corporations.

ORDERS OF THE DAY.

MESSAGE FROM THE HOUSE.

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following concurrent resolution :

WHEREAS, Henry S. Cawthorn, Esq., is the owner of the complete files of the Vincennes Western Sun Newspaper for the years 1807, 1808, 1809, and 1810, containing the debates and laws of the Territorial Legislature of those years; therefore,

Be it resolved, (the Senate concurring,) that the State Librarian be authorized to negotiate for the purchase of said files of papers, and report to this General Assembly the probable price at which they can be procured for the use of the State.

On motion by Mr. Oyler, the resolution contained in the foregoing message, was concurred in.

Ordered, That the Secretary inform the House thereof.

BILLS ON SECOND READING.

Senate bill No. 37. A bill to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.

Was taken up.

Mr. Carson moved the adoption of the following amendment to the bill, reported by the Committee on Corporations :

Amend section 30 by striking out all after the word whatever in the 7th and 8th lines of said section, so far as they relate to the Docket fee, to the word "but" in the 11th line of said section.

Which was agreed to.

Mr. Carson moved to reject the following amendment to the bill, reported by the Committee on Corporations :

Amend section 60, by striking out of the 3d line of said section the words "three-fourths" and in lieu thereof insert the word "majority."

Pending the motion to reject the amendment, on motion by Mr.

Cravens, the further consideration of the bill and amendment was postponed until to-morrow, Tuesday, February 5, at 2 o'clock P. M., and made the special order for that hour.

BILLS ON SECOND READING.

Senate bill No. 39. A bill creating the seventeenth Judicial Circuit, and fixing the time of holding courts therein.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 40. "A bill defining what counties shall constitute the thirteenth Judicial Circuit."

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 42. A bill defining what counties shall constitute the seventh Judicial Circuit, and fixing the times of holding the Courts therein.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 53. A bill to amend the first section of an act entitled "An act to amend the first section of an act entitled an act to amend the sixth section of an act providing for the organization of County Boards, and prescribing some of their powers and duties," which first above mentioned act was approved June 17, 1852; the said second mentioned act was approved February 16, 1859; which latter act last above mentioned was approved March 9, 1861, and which act hereby amended was approved March 7, 1863.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 61. A bill to amend section thirty of an act entitled "An act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859, which last mentioned act was approved December 20, 1865.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 63. A bill for the repeal of statutes not in conformity with the ruling of the Supreme Court in the case of Langdon against Applegate and others, and limiting actions arising out of the same or for a violation thereof.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 95. A bill to amend an act entitled "An act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859, approved December 20, 1865.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 96. A bill to amend the seven hundred and sixteenth section of an act entitled an act concerning the writ of habeas corpus.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 97. A bill designating certain holidays, and relative to negotiable paper falling due thereon.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 103. A bill to prevent persons from injuring or destroying insured property, and from making false proofs thereof, and prescribing penalties for the same.

Was read a second time, and,

On motion by Mr. Cullen, laid on the table.

Senate bill No. 105. A bill to amend section five of an act entitled "An act providing for the organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties, approved June 1, 1852, and providing for Criminal and Civil Circuit Courts, approved Dec. 20, 1865."

Was read a second time.

Mr. Stein moved to amend the bill by striking out the words "eight thousand voters," where they occur, and inserting the words "seven thousand voters" in lieu thereof.

Which was agreed to, and the bill ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 109. A bill to amend section five of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing certain fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed," approved March 6, 1865.

Which was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 111. A bill authorizing township trustees, trustees of incorporated towns, and the common council of cities, to levy a tax for school purposes.

Which was read a first time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 118. A bill to require clerks of the Courts of Common Pleas to specify, by separate items, the fees and services for which they may demand payment of Executors, Administrators or Guardians,

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 119. A bill amending the 13th section of the act approved June 4, 1861, entitled an act to provide for the incorporation of Street Railroad Companies.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No 120. A bill to amend section 63 of an act defining misdemeanors and prescribing punishment therefor.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 131. A bill to amend section 784 of an act entitled an act to revise, simplify and abridge the rules, practices, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

On motion by Mr. Church, Senate bill No. 94, a bill to provide for the protection of fur bearing animal, and the report of the Committee on Swamp Lands thereon, were taken from the table.

The question being, shall the report of the Committee be concurred in and the bill indefinitely postponed?

It was not agreed to.

On motion by Mr. Church the bill was referred to the Committee on Rights and Privileges of the Inhabitants of this State.

Mr. Richmond asked and obtained leave of absence for Mr. Hanna.

A message from the House by Mr. Nixon, the clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following concurrent Senate resolution:

Resolved, by the General Assembly of the State of Indiana, That the Auditor of State be directed to inquire of the Auditors of the several counties of the State,

1. What number of incurable insane are now provided for at the public expense, in their respective counties.
2. Where the said insane are kept, and in what manner.

Resolved, That from the report so obtained, from the several county Auditors, the Auditor of State be directed to prepare an abstract for the use of the General Assembly.

By unanimous consent of the Senate, Mr. Kinley, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred Senate bill No. 114, a bill to amend an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto, have had the same under consideration, and instructed me to report it back to the Senate with the following amendment, and recommend that when so amended the bill do pass.

Add to section 1st the following :

Provided, That the pay of any trustee shall in no case exceed one hundred dollars per annum, and in any city or town whose population is less than ten thousand, said pay shall not exceed fifty dollars per annum.

Provided Further, That in case a vacancy occurs in said Board of Trustees, it shall be filled by the city council or town trustees.

Amend section 5 by striking out the following words, to-wit: "Children within their respective townships, towns and cities between the ages of six and twenty-one years," and substitute the following words, to-wit: "White and colored children within their respective townships, towns and cities between the ages of six and twenty-one years," and report the same in separate lists.

Amend section 10 by inserting in line 11 after the word "power," the following words, to-wit: "to designate their teacher and."

Amend section 13 by striking out all after the word "provided," and substituting the following, to-wit: "That nothing herein contained shall be so construed as to affect the title or use of school property heretofore acquired or hereafter to be acquired for the purpose of township graded schools.

The following sections were added :

SECTION —. For the purpose of establishing Union Graded Schools in any incorporated town or city and the township in which such town or city is situate, may jointly acquire and hold property for the purpose of graded schools, and may cause the title to vest in the two schools corporations in such manner as may be equitable.

SECTION —. The School Trustees shall jointly meet all expenses and make all needed provisions and regulations for the management of said school in such manner as shall be agreed upon.

SECTION —. All applications for license to teach in the common schools of this State shall, after the first day of June of the present year, be examined in Orthography, Reading, Writing, Arithmetic, Geography, English Grammar, Physiology, History of the United States, and the History of the State of Indiana, said examination to be conducted in conformity with the provisions of this act, to which this is an amendment.

SECTION —. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION —. Whereas an emergency exists for the immediate taking effect of this act, therefore it shall take effect and be in force from and after its passage.

Mr. Cullen moved that the bill and report be laid on the table, and that two hundred copies of the report be ordered printed.

Which was agreed to.

By unanimous consent of the Senate, Mr. Wolcott, Chairman of the Special Joint Committee on the National Debt, made the following report :

Report of the Special Joint Committee of Senators and Representatives appointed to take into consideration the subject of the National Debt and the National Currency :

The Special Joint Committee of the Senate and House of Representatives, to whom was referred concurrent resolution No. 9, to take into consideration the subject of the National Debt and the

National Currency, and report their opinions relative to the policy of the National Government in relation to these matters, have considered the same, and they respectfully submit the following report:

The Committee are of the opinion that the question as to what is the policy of the Government, must be determined principally by reference to the action of the Secretary of the Treasury, and by reference to his opinions as officially expressed in the absence of conflicting and controlling legislation, in respect to the matters subject to his control; and the most proper mode of treating the subject referred to the Committee is by a review of the Secretary's late official report to the Congress now in session.

The Committee therefore proceed to make such review:

October 31, 1866, the public debt, exclusive of cash in the Treasury, was \$2,681,636,966 34. During the time this debt was being created, the average value of gold in the United States was not much less than two hundred per cent. The gold value of the debt being but little, if anything, more than one half its currency value—currency being the consideration for which it was issued. The Secretary is in great haste to make this amount of Government indebtedness at *par* in *specie*, thereby making the obligations of the Government worth nearly twice as much in the hands of the holders as the Government received for them. To arrive at this consummation the Secretary urges two things: First. Payment of the debt as soon as possible, but the second and more immediate agency is the payment of the debt, when paid, interest and principal, in *specie*.

So long as Treasury notes exist, they will remain lawful money for the payment of all Government obligations, except that class payable in *specie*. To make them *all* payable in *specie*, the legal tender notes must be withdrawn from circulation by the Government, and cancelled. In order to do this, \$390,000,000 of the public debt represented by Treasury notes, at the date of the Secretary's report, and bearing no interest, must be superseded and represented by \$390,000,000 of bonds, upon which the people will be required to pay yearly, by taxation, interest (at six per cent.) amounting in the aggregate to \$23,400,000. To make, in the hands of the present holders, the obligations of the Government worth twice what the holders paid for them, the Secretary proposes this direct addition to the yearly interest on the National debt. No persons, except the

holders of the bonds of the Government, and the moneyed interests, can be benefitted by the plans of the Secretary, while every other interest would sustain the gravest injury. What the moneyed classes would gain by the increased value of their bonds, would be at the expense of the tax payers, who would have that increased value to pay. It is true that Congress has not given the Secretary the power to effect the result as speedily as he desires; still, the dangerous and fatal power has been conferred upon him.

The report of the Secretary shows that from June 30, 1865, to September 30, 1866, the receipts from customs, paid in *coin*, were \$486,703,579 81. The receipts in *currency* being a little over two-thirds of the whole aggregate.

This income has been sufficient to defray the entire civil, military, and naval expenses of the Government, and to reduce the amount of the National debt, within the period specified, \$206,379,565 71.

The Secretary, who is persistently and systematically decrying our general financial system and condition with the view of hastening the resumption of specie payments for the benefit of the moneyed classes, mildly says of this great reduction of the public debt, "it is encouraging." Others regard it as in a superlative degree satisfactory and wonderful. No one contemplated that within so short a period, any portion of the public debt would be liquidated. Not even the Secretary himself, for he states that from October 1, 1865, to June 30, 1866, the receipts in the treasury exceeded his estimates \$89,905,905 44, and the expenses were less than his estimates \$200,529,235 30. The excess of receipts added to the deficiency in expenditures makes a difference in favor of the United States as against the Secretary's calculations, of \$290,435,140 74. Had the estimates been correct, instead of a reduction to the amount of \$206,379,565 71, there would have been an increase of the public debt of \$84,055,575 03. The public expectations relative to our finances were regulated by the Secretary's estimates, and no one contemplated a result so widely different from his predictions; and the Secretary says in his report, page 10, "nothing in our history has created so much surprise, both at home and abroad, as the reduction of our National debt." Yet the Secretary boldly assumes (Report, page 9,) that this surprise of the people, indicates a purpose and a policy on their part. It shows, he says, that "it is the will of the people that the public debt shall be paid and not perpetuated," and the Secretary intimates that it may be paid by the generation that created it. What the Sec-

retary intimates as the will of the people, is simply his own will and purpose, so far as he has power to effect the result.

The accidental or unexpected reduction of the public debt indicates no will of the people upon the subject. That the unexpected reduction of the public debt is a gratifying fact to the people, there is no doubt. This proof of the immensity of the National wealth and of the great productive capacity of the country, is flattering to the National pride; and it quieted the apprehensions of those who feared that the amount of public debt was a burden too weighty for the strength of the people to bear. But no will or devise is indicated that this generation wishes the present oppressive taxation to continue, for the purpose that within their particular day the National debt may be extinguished. Not that the people believe a National debt to be a national blessing; but they do believe that the great contest which they successfully waged for the preservation of the national existence, was a war in behalf of the country; not for the present generation only, but for succeeding generations through centuries to come. The great and holy cause in which the public debt was incurred, is one of common interest to the present and the future; and the present generation has devoted to its success 300,000 lives, and has already paid an aggregate in many contributions fully equal in amount to the present balance of the National debt. And while they are willing to do any thing in their power required by the exigencies of the nation, none have the desire to bear the burden of extra and oppressive taxation for the especial purpose of redeeming in their particular generation, a debt equally obligatory upon posterity. When such a desire shall exist, the people will probably address the Secretary or petition Congress upon the subject.

It will not be necessary to draw such a conclusion from accidents. History furnishes no parallel to the excessive taxation which the American Government has imposed upon its people; and which the people have cheerfully borne. But the effects of these large and constant demands are painfully and oppressively felt in the high prices the people are called upon to pay for nearly all imported and manufactured articles; the Government tax being of course added to the cost of importation and production. And this Committee are of the opinion that the desires as well as the interests of the people, demand that at the present time the income of the Government shall be limited to the amount required to defray current Government expen-

ses and pay interest on the public debt ; with a sure but small annual surplus to indicate unquestionable solvency.

GOVERNMENT CURRENCY.

From the 31st day of August, 1865, to the 31st of October, 1866, the Secretary of the Treasury, in accordance with the existing laws, paid and cancelled \$68,512,020 of compound interest legal tender notes ; and \$42,830,174 of non-interest bearing treasury notes ; diminishing within that short period the volume of our currency \$111,342,194. This withdrawal has very sensibly affected the money supply of the country, and has caused a material augmentation of the value of money, which augmentation of value inures solely to the benefit of the moneyed classes, and government bondholders. Under the present laws the same process may continue to be followed by precisely the same results. In the policy of the existing laws, coupled with the views and purposes of the Secretary, this Committee perceive great danger to the financial interests of the country. Our present currency answering the present emergencies of our people, they believe it capable of the fullest vindication. The Secretary is especially anxious to withdraw as speedily as possible the legal tender notes, as these alone, in his opinion, stand immediately in the way of resuming specie payments. (Of course, so long as these notes exist, coin cannot be demanded of the National Banks.)

The fullest and best connected of his utterances on this subject, are to be found on the first half of the 13th, last half of the 15th, and first half of the 16th pages of his report. He says, (page 13,) "Ever since trade commenced between the people of different nations, gold and silver have been the only reliable and recognized measure of value, and medium of exchange." While in their internal trade other representatives of value have to a greater or less extent been used by all nations. This is the only instance throughout the entire report, in which the Secretary makes the proper distinction between foreign and domestic trade, as to the kind of moneys required to represent values. In foreign trade specie is required because different nations do not as a common thing understand, nor do they recognize the local representatives of value, other nations may establish. But each nation may, for the use of its own people, establish any other representative of value, and in their local affairs it answers all the purposes of money as well as gold and silver. Then, for such

local affairs, the other representative is money as good as gold and silver. Its not being recognized by foreign nations in the settlement of balances is another and distinct question, and such fact in no manner impairs the value of such money for local uses. Hence the establishment of a local measure of value, as has been practised by all nations, becomes with us the part of a wise financial economy; as by such agency only, with our present insufficient supply of specie, can the full demands for money representatives of both foreign trade and domestic commerce be supplied. The absence of money in supply sufficient to meet the actual demands of business, in proportion to the deficiency, prevents business from being prosecuted. The age of barter is comparatively the age of non-production. Money, or a convenient representative of property values, passing from hand to hand, is the circulating life blood of human industry in all its branches, and as circulation extends, and a higher intelligence governs, property, especially of a cumbersome nature, is more and more represented by something other than itself. The great error pervading the Secretary's report is, that because in foreign trade, specie is required to settle balances, therefore specie should and must be our money standard in our domestic commerce. There is no logical connection between the two, and no matter of fact connection, as our experience on three or four different occasions, and especially our experience for the past six years, most conclusively proves. For we have carried on the most extensive operations of business, and enormous operations of a military character, successfully, and these imperatively demanding money, and our money has not been gold and silver.

The amount of the currency of the country, the stability and safety of its character, representing as it does, the obligations of the Government, and the consequent confidence of the people in this currency; which confidence in reality gave it its great utility as money, enabled us vigorously and successfully to prosecute the war—and the same agency has enabled us, in the language of the Secretary, to surprise ourselves and the balance of the world, beside by paying largely upon the national debt. Is there a sane man, who supposes that the people could have accomplished what they have done in the payment of taxes but for the means possessed in our currency. Notwithstanding the Secretary condemns our present financial system, he says, page twenty-ninth of his report, "there is cause for congratulation that we have thus far escaped those severe, financial troubles which

usually befall nations at the close of expensive and protracted wars." It would not appear that the Secretary has sought for the reasons that we "escaped the financial troubles which befall nations at the close of expensive and protracted wars." If he will carefully consider the cause, he cannot escape the conclusion that our safety lay and still lies in our system of currency money. The essential feature of the system is that it is a standard of money independent of specie, has not affected either its volume, or the stability of its value. Had it been payable in specie on demand, and had the terms of its issue been complied with its comparative amount would have been very limited, and the amount in circulation, would have fluctuated exactly in the ratio of the fluctuation of the supply of specie. No European nation has had a paper money of the character and commanding among its people the confidence of treasury notes, which we have made a money independent of gold and silver, and consequently no scarcity of specie has caused to be withdrawn from circulation. It has paid the debts of the people to the Government (two-thirds of all that has been paid) and their obligations to each other; it has purchased the supplies and paid the wages of the manufacturers, the mechanic and the farmer. All has gone on so well that we have surprised people both at home and abroad,—and "we have escaped those severe, financial troubles which usually befall nations at the close of expensive and protracted wars."

Why should we change or intermeddle with a financial system which has benefitted us so largely? Few people see any reason for change, but the Secretary does, and Congress has given him power over the subject. Let us hastily examine the reasons he urges in the premises. On page nineteen of his report, he says that when the policy of issuing treasury notes was adopted, they were not intended "to be a permanent circulation." They were only "regarded as justifiable to meet an emergency." Which only means that the introduction of this new financial system, though fraught with benefits and advantages unthought of by the inventors, is, because they were unthought of, to be discarded as soon as, or even before, it has fully answered the ends for which it was instituted.

The people regard the system of our Treasury note money as a discovery in finance of the greatest value, to be continued so long as they have a National debt. It gives a safe and satisfactory money, and saves interest. Discarding this system, found so valuable to the

country, and so popular with the people, for the reason that the Secretary gives "that it was but an expedient to meet a necessity," would be like a man casting from him the lump of gold which he finds when he stoops to pick up a stone. The intention to make but a temporary use of the Treasury note system is hardly a sufficient reason for its discontinuance, while its advantages remain so obvious and great as they now appear to be.

The Secretary comments frequently upon what he terms the "redundancy" of the currency. This Committee is unable to procure any evidence of such redundancy. They are aware, that previous to the meeting of the Congress of 1865, and during the early part of the session, the Secretary's theories for a reduction of the currency, very pertinaciously urged upon Congress, produced such alarm and uncertainty, that for a period of several months, money capitalists were comparatively unwilling to loan, and business men were induced to curtail their enterprises, not knowing whether money would continue in adequate supply or not.

This Committee is also aware that the same cause, followed by similar results, occurred again shortly previous to the meeting of the present Congress, and still continues. They, however, perceive in a suspended use of money under these circumstances no evidence of "redundancy," but a proper appreciation of the danger of uncertainty. If the Secretary is understood, he has also another idea of "redundancy." He fixes the maximum amount of currency the country should possess, as that amount only which the specie supply will render redeemable in specie; all above that amount is, in his opinion, "redundant," whatever the form of the currency may be. His standard for our money supplies is not the number of people; not the amount of property; not the activity and amount of production; but the fluctuating balance of gold and silver left us by our foreign trade, however inadequate that may be; and notwithstanding we have a substitute for gold and silver which in our domestic affairs has been proven to be absolutely as good as gold and silver.

The debt of the Nation represents the labor and property of the Nation. Specie can do no more; and there is nothing intrinsic or extrinsic in specie giving it a higher value in our domestic trade than Treasury notes possess.

If equally valuable, if answering all the purposes of money in our local concerns, not being redeemable in coin is a matter of indifference. In reality, *its true value consists in the fact that it is a money standard*.

independent of gold and silver. It is this independent character which distinguishes it from all other issues of paper money, and confers upon it its highest worth. The balance of foreign trade may be against us, and our specie may be exported to pay such balances. But our Treasury notes being of value as money only with ourselves, and bearing no interest, will not be exported to pay the balance of foreign trade; and consequently the value of our currency will remain constant. How is it with specie? Notwithstanding since the discovery of California, the mines of California have produced \$1,100,000,000, the United States possess no more specie than before. The introduction of Treasury notes is the most important event in the history of American finance. It has furnished us the means, and the only measure yet devised, by which our domestic finances and domestic commerce can exist independent of the condition of foreign trade.

This independent condition as to money, in our home affairs can not be over estimated in importance, inasmuch as our domestic commerce though heretofore dependent for its money requirements upon the state of foreign trade, is yet five fold greater in amount than the foreign trade, and is in the same proportion more important to the interest and welfare of our people. As money is in deficient supply for business demands, labor and productions are reduced in a degree closely corresponding to the deficiency. If our monetary condition is such that home industry and home production cannot in the highest degree be accommodated by a system of currency redeemable in coin, (and such is the fact,) then if there be none other money standard, that will fully accommodate these demands, it is the part of wisdom to adopt such standard. Treasury notes meet the whole requirement, and nothing else will do so, until the accumulated amount of specie furnishes a broader basis for such currency issues as may be dependent upon specie for their value by being redeemable in specie. A deficient supply of money for business demands involves either an undue and dangerous use of credits to inventurate in discredit and bankruptcy, or a reduction of business to the standard of the money supply, which of course involves a decrease of labor and production to the detriment of the individual and body politic.

France has an aggregate of \$1,000,000,000 of specie and paper money; and Great Britain about \$700,000,000. We require more than either. The reduction proposed by the Secretary to \$300,000,000

of National Bank Notes, and some \$125,000,000 to \$150,000,000 of specie would give us less than one-half the money possessed by France, and less than two-thirds possessed by Great Britain, resulting as in former years in exorbitant and restrictive rates of interest, extended credits, panics and revulsions.

The reason why, in former years, this country has been so subject to financial panics and commercial revulsions, while European nations have been so comparatively free from them, has been only the difference in the respective supplies of money which each has possessed. Our short supplies having compelled us to substitute credits. We have repeatedly suffered panics and disasters, while at the same time every property interest has been sound.

Taking the money supplies of the most active in production and commerce of European nations, as a standard by which to judge of our necessities, and it cannot be concluded that this great country, with its vast property wealth, and active industry, should have less than \$700,000,000 or \$800,000,000 of currency. Instead of this, the Secretary proposes to cancel the Treasury notes, greatly reducing the supply of money which alone has sustained the country and "prevented those financial troubles which usually befall nations at the close of protracted and expensive wars;" and, at the same time, many millions of the public debt, not bearing interest, *is to be made interest bearing.*

The present full volume of the currency should be sustained, and all new issues of Government obligations to pay accruing liabilities should be made payable in Treasury notes. With \$700,000,000 of currency, the people can more easily (if necessary) pay seven per cent. interest in currency, than they can pay four per cent. in gold. "Of what they have abundantly, they can pay abundantly, and of what they possess sparingly, they can only pay sparingly." Specie must and will remain the money to represent foreign trade; but let us continue to enjoy the use of our present system of money for our domestic affairs *independent* of all *fluctuations, variations, and balances* of foreign trade, and we shall have continued to us that independence in our money affairs which carried the nation through the war in triumph, and has saved us from revulsion and financial disaster since.

While this Committee believe they perceive national discredit and individual bankruptcy in the curtailment of the currency contemplated by the Secretary, they do not see in such curtailment the

means to a resumption of specie payments. This is not the first instance in our history where specie payments have been suspended. Never, in the past fifty years, have the banks of the country been able to redeem their currency when the demand for redemption has been general, for the reason that the balances of foreign trade have so uniformly left us deficient in specie that redemption has been impossible in anything but theory.

Every panic which has produced a run on the banks throughout the country has caused suspension. The largest amount of specie ever held by all the banks of the United States prior to the year 1858, was less than \$60,000,000; while the currency was between \$200,000,000 and \$300,000,000. Had we now no currency but the \$300,000,000 of the National Bank to redeem in specie, that redemption could not be maintained because the banks at this time, do not possess the specie required for that purpose. The balance of foreign trade, as heretofore, is against us. Of this important fact, and the consequences thereof, the Secretary is fully aware, as shown by the following quotations from his report: He says, (page 13:) "It is the great financial law which makes the nation that sells more than it buys, the creditor nation, and the nation that buys more than it sells, the debtor nation, and recognize no medium but coin for the payment of balances, that determines the ability of the United States to resume, and maintain specie payment. Nothing is more certain, he says, (page fifteen,) than the fact that there can be no permanent resumption of specie payments in the United States, until the balances between them and other nations shall be made easy by an exportation, equal at least to our importations. "Unfortunately," repeats the Secretary, "the United States are largely a debtor to Europe." The balance for the last year (page 14) is nearly \$100,000,000. The great financial and commercial, evils resulting from the balances of our foreign trade being so uniformly against us, from the beginning of our national existence, as to keep us poor in specie, however rich in property, have ever engaged the anxious attention of the the statesmen of the country; and they have seen no remedy, except in that protection which can only be afforded by special tariff and import duties. None other exists; for the reason that other nations over-trade us, is to be found in this; that labor in the older countries and in this, is not in equal proportions applied to the same classes of industry. We are a new people, and our labor is largely applied to the work of building new towns and cities, opening new farms; build-

ing up manufactories, &c.; in short, in the making of those permanent improvements, by which nations become established. This work has to a great extent already been done in the older countries, and at the present time a much larger per centage of their labor than of ours is devoted to the production of articles of merchantable and exchangeable value.

For this reason mainly, the European nations overtrade us and exhaust our specie to pay balances. With the insufficient supply of specie now possessed by our banks, and with the balance of Foreign trade against us, it appears that any attempt to resume and maintain specie payments cannot fail to bring disasters, and will be futile.

The remedy proposed by the Secretary, seems extraordinary indeed. At page 12, of his report, he says: "A redundant legal tender currency is the prime cause of our financial difficulties, and a curtailment thereof, is indispensable to an increase of labor, and a reduction of prices, to an augmentation of exports, and a diminution of imports; which alone will place the trade of the United States with other nations on an equal and satisfactory footing." The great problem, the practical solution of which has defied the efforts of our statesmen and political economists, since the foundation of the Government; the means of preventing the balances of Foreign trade from being against us has been solved by the Secretary. "It is a curtailment of the currency." "How magnificent the result; how simple the means." Had we been aware that this much desired and anxiously sought result could have been so easily obtained, long ago should we have had the balances of trade in our favor; and the country would now be rich in the profusion of gold and silver, secured to us by "curtailing the currency."

In conclusion, the Committee express their opinion to be:

First.—That it is inexpedient to diminish the amount of currency now possessed by the country; and while the present system of reduction is being continued, it is inexpedient to adopt as a policy any speedy reduction of the public debt.

Second.—That it is entirely impracticable at this time to attempt resumption of specie payment.

Third.—The Committee further express the opinion that if the present ill-advised policy of the Government for diminishing the amount of our currency is to continue, such diminution should first be of the interest bearing notes.

Mr. Stein moved that the report be laid on the table, and 200 copies printed for the use of the Senate and House.

Which was agreed to.

On motion by Mr. Oyler the Senate adjourned.

TUESDAY AFTERNOON, 2 o'clock, }
February 5, 1867. }

The Senate met.

On motion, by Mr. Oyler, the reading of the Journal of yesterday was dispensed with.

The hour having arrived, the special order being Senate bills Nos. 1, 25, and 57, bills to divide the State into Congressional Districts, and the report of the Committee thereon.

Was taken up.

Mr. Bennett moved that the bills and pending amendments be re-committed to the Committee on Congressional Apportionment.

Which was agreed to.

On motion, by Mr. Stein, the special order being House bill No. 42, a bill to prevent the breaking of a quorum in the General Assembly, and prescribing punishment therefor, and the report of the Committee thereon, which had been passed over informally,

Was taken up.

Thereupon Mr. Howk, from the Committee on the Judiciary, made the following minority report :

MR. PRESIDENT :

The minority of the Committee on the Judiciary, to whom was referred House bill No. 42, entitled "A bill to prevent the breaking of a quorum in the State Legislature, and prescribing punishment therefor," having duly considered the same, and being unable to agree with the majority of said Committee, respectfully submit the following report :

The minority of said Committee are opposed to the passage of the bill in question ; but in opposing said bill they wish it to be distinctly understood that they do not, in any manner, favor or justify the

comparatively modern practice of bolting, or breaking a quorum, for the purpose of defeating any proposed legislation. The practice is one that cannot be justified upon any other ground than the right of revolution, a right which should never be exercised for merely partisan purposes. The minority disapprove of and condemn the practice, just as heartily, and to as full an extent, as do the majority of the Committee; but, in the opinion of the minority, the evil to be prevented by the bill in question is not a proper subject for legislation. In other words, they think that the General Assembly of this State cannot, under the Constitution, enact any law regulating the official conduct of either Senators or Representatives.

Each House has all powers necessary for a branch of the legislative department of a free and independent State. This House has full power to prescribe rules of order for the government of Senators, and may, by such rules, prevent the willful or intentional absence of any Senator, or his refusal to vote or to answer to his name on any vote or roll-call, and for any violation of any such rules, this House may punish Senators, even to the extent of expulsion.

These powers are conferred upon this House by the spirit and express letter of the Constitution, and they cannot be delegated to or divided with any other House or tribunal.

By the rules prescribed by this House, and by the Federal and State Constitutions, acting under the solemnity of his official oath, each Senator must regulate his official conduct in such manner as his duty and conscience may dictate. To impose any other restrictions on the official conduct of Senators, as is intended by the bill in question, would not only be unwise and impolitic, but, in the opinion of the minority, would be wholly unauthorized by, and directly in conflict with the State Constitution. The evil to be remedied is nothing more nor less than the willful or intentional neglect of official duty by Senators and Representatives. For the crime, incapacity or negligence of such officers, the Constitution provides, in express terms, a full and ample remedy.

It also provides a tribunal, before which the offender shall be tried, and that tribunal is not the Marion Criminal Circuit Court. And it also provides a punishment for the offense and how such punishment shall be imposed, and that punishment is not a fine of one thousand dollars. There is another consideration which prevents the minority of the Committee from concurring in the report of the majority, and that is the degrading character of the proposed enactment. The

bill assumes the necessity of its passage; it implies that, without such a law, grave and reverend Senators, in open violation of their oaths and official duties, would defeat, delay, or obstruct legislation. The assumption is without foundation; the implication is somewhat offensive. The minority of the Committee scorn all such assumptions and implications. In all seriousness, such a bill should never be suffered to become a law or admitted to a place on the Statute Book. To this House it is especially derogatory in its character. The Senate, under the Constitution is the highest judicial tribunal in the State. It may sit in judgment over any of the State officers, and for crime, incapacity, or negligence, may remove them from their estate. To make the judges of such a tribunal, for their official misconduct amenable to any inferior Court, is certainly derogatory to their official character. And for this reason, if there were no others, Senators should not in the opinion of the minority, vote for the passage of this bill. To the passage of this bill, there is another objection, which is directly personal to each Senator in the minority. The last section of the bill declares that an emergency exists, requiring that the act should take effect from and after its passage. Majorities do not bolt or break quorum. The bill, therefore, is intended to apply and does apply only to the minority. And the emergency declared, makes it directly applicable to the party now in the minority. Stripped of its mask of words and couched in plain English, the bill, may be construed thus:

First.—The Union or Republican Senators and Representatives will introduce legislation on the most important (to them?) interest of the State.”

Second.—That this legislation will prove so objectionable to the Democratic Senators and Representatives that, unmindful of their official oaths, they will leave incontinently and open a Branch Legislature in Madison or some other border city, as some Republican gentlemen have done, “who have gone this way before them.”

And Third.—That every Democrat, so offending, shall be fined the trifling sum of one thousand dollars.

This bill can effect no good results. If it becomes a law, it will be a blotch on the Statute Book, and a stigma upon the honor of Indiana legislators. With the emergency clause in it, whatever may be the intention it can be regarded in no other light than as a direct personal insult to each member of the minority in this Legislature. Believing then, that this bill is unwise, impolitic and unconstitutional,

that it is degrading to the Senate and needlessly insulting to the present minority, the minority of the Judiciary Committee respectfully recommend that the further consideration of said bill be indefinitely postponed.

GEO. B. HOWK,
JAMES L. MASON,
Z. M. VAWTER.

Mr. Stein moved to concur in the report of the Committee.

Mr. Mason moved to lay the motion to concur in the report of the Committee, on the table.

The ayes and noes being demanded by Messrs. Mason and Gifford.

Those who voted in the affirmative were,

Messrs. Barker, Carson, Gifford, Howk, Humphreys, Lee, Mason, and Turner—8.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Church, Cravens, Cullen, Hyatt, Jaquess, Johnson, Kinley, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—24.

No quorum voting.

Mr. Bennett moved that a call of the Senate be ordered.

Which was agreed to, and the Secretary proceeded with the call.

The following Senators answered to their names,

Messrs. Barker, Bellamy, Bennett, Bonham, Cason, Carson, Church, Cravens, Cullen, Gifford, Howk, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lee, Mason, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Stein, Taggart, Thompson, Turner, Ward, Wolcott, and Mr. President—35.

On motion by Mr. Bennett, the further call of the Senate was dispensed with.

A quorum being present, the roll was again called upon the motion of Mr. Mason to lay the motion of Mr. Stein to concur in the report of the Committee, on the table.

Those who voted in the affirmative were,

Messrs. Barker, Carson, Gifford, Howk, Humphreys, Lee, Mason, Smith, Staggs, Taggart, and Turner—11.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Cason, Church, Cravens, Cullen, Hyatt, Jaquess, Johnson, Kinley, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—24.

So the motion to lay on the table did not prevail.

The question then being, shall the report of the Committee be concurred in?

It was agreed to, and the bill was read a second time.

Mr. Cullen moved to amend the bill as follows:

Strike out "Marion Criminal" in the second line, and insert after the word "Court" in the third line the letter "s," and add the words "of this State," and add at the end of the line Section 2 the following words, "according to the residence of the offender."

Pending the amendment, Mr. Cullen moved to recommit the bill and pending amendment to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Stein moved to lay the motion to recommit and the pending amendment on the table.

The ayes and noes being demanded by Messrs. Gifford and Cullen.

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Cason, Church, Cravens, Hyatt, Jaquess, Johnson, Kinley, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—23.

Those who voted in the negative were,

Messrs. Barker, Carson, Cullen, Gifford, Howk, Humphreys, Lee, Mason, Newlin, Smith, Staggs, Taggart, and Turner—13.

So the motion to recommit and the pending amendments were laid on the table.

Mr. Stein moved to postpone the further consideration of the bill until to-morrow at 2 o'clock P. M., and that it be made the special order for that hour.

Mr. Mason moved to lay the motion to postpone on the table.

The ayes and noes being demanded by Messrs. Mason and Gifford.

Those who voted in the affirmative were,

Messrs. Barker, Carson, Gifford, Howk, Humphreys, Lee, Mason, Newlin, Smith, Staggs, Taggart, and Turner—12.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Cason, Church, Cravens, Cullen, Hyatt, Jaquess, Johnson, Kinley, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—24.

So the motion to lay on the table did not prevail.

The question recurring on the motion of Mr. Stein to postpone the further consideration of the bill,

Mr. Oyler moved the previous question,

Which was seconded by the Senate.

The question being, shall the main question be now put?

It was agreed to.

The question then being, shall the consideration of the bill be postponed?

It was agreed to.

The hour having arrived, the President announced the Special Order, being the report of the Special Joint Committee on procuring rooms for the State Officers.

Mr. Cravens moved to postpone the further consideration of the report until Thursday at 2 o'clock P. M., and that it be made the special order for that hour.

Which was agreed to.

Mr. Oyler presented a petition from sundry citizens of Indiana praying for a law to destroy hawks.

Which was referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Smith presented a memorial on the subject of intemperance.

Which was referred to the Committee on Temperance.

REPORTS FROM STANDING COMMITTEES.

Mr. Johnson, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom referred Senate bill No. 149, a bill to amend the second section of "An act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes, approved May 20, 1852, by providing that any companies which may have been, or shall be, incorporated in this State for any of the purposes contemplated in said act, with a limitation of the amount or location of its real estate, may take, hold, and convey any amount of real estate which may be necessary to carry on the operations of such company, whether such real estate be situate in this State or elsewhere," have had the same under investigation, and instructed me to report the same back without amendment and recommend its passage.

Which report was concurred in, and the bill was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. Oyler, from the Joint Committee on the Reorganization of Courts, made the following report:

MR. PRESIDENT:

The Joint Committee on the Reorganization of Courts, to whom was referred Senate bill No. 80, a bill providing for the organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties, and to repeal all laws in conflict therewith, have had the same under consideration, and have instructed me to report the same back to the Senate and recommend the adoption of the following amendment—add an additional section as follows:

Sec. 23. On and after the first day of January, 1868, all of the civil and criminal business then pending in the Common Pleas Courts of the respective counties of this State, except those matters of which the County Court has exclusive jurisdiction, shall be transferred to the Circuit Courts of the respective counties, and said Circuit Courts shall have jurisdiction and dispose of the same, as though the same had originated in said Court.

SECTION 24. The Circuit Judges now elected shall be taken and held to be the Circuit Judges, under this act, in the respective Circuits as fixed by the laws of this General Assembly, for the Circuit in which he may reside, for the balance of the unexpired term for which he was elected, and for all of those Circuits as fixed by the laws of this General Assembly in which there is no resident Circuit Judge, there shall be elected, by the qualified voters of said Circuit, a Judge, at the regular October election in 1867, whose term of office shall commence on first day of January, 1868, and when so amended recommend its passage.

On motion by Mr. Oyler, the report and bill were laid on the table, and three hundred copies of the bill and the pending amendments ordered printed.

Mr. Oyler, from the Joint Committee on the Reorganization of Courts, made the following reports:

MR. PRESIDENT:

The Joint Committee on the Reorganization of Courts, to whom was referred Senate bill No. 81, "A bill to establish a County Court

in each county in the State, for the election of County Judges, fixing the jurisdiction of said courts, the officers thereof, its powers and duties for the transfer of business in the Common Pleas Courts, and to repeal all laws conflicting with this act," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend the adoption of the following amendments :

Amend by adding the following section :

The terms of the courts herein provided for, shall commence on the first Mondays in January, February, March, April, May, June, September, October, November, and December, of each year, and continue in session as long as the business thereof may require it.

Add, at the end of section 25, the following words :

Which said court shall have jurisdiction, and dispose of the same, as though the same had originated in said court.

And when so amended recommend its passage.

On motion by Mr. Oyler, the report and bill were laid on the table, and three hundred copies of the bill and pending amendments ordered printed.

Mr. Ward, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 86, a bill for an act supplemental to an act, entitled " An act for the incorporation of high schools, academies, colleges, universities, theological institutions, and missionary boards," approved February 28, 1855, have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend its passage.

Which report was concurred in.

Mr. Cullen, from the Committee on Corporations, made the following report :

S. J.—21.

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 89, "A bill providing for the incorporation of Steam Packet Companies," have had the same under consideration, and have directed me to report the same back to the Senate with the following amendments to-wit:

Strike out the words in section eleven, "said company shall, however, have the preference over all others, of purchasing such stock at the market price." Also strike out all of section 14, and when so amended recommend its passage.

Which report was concurred in, and the amendments adopted.

Mr. Wolcott, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

The Finance Committee, to whom was referred Joint Resolution No. 5, "a Joint Resolution directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of Free banks, broken and closed, and of such banks as have given notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks," have directed me to report that they have considered the same, and that they recommend its passage.

Which report was concurred in.

Mr. Oyler, chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 129, "a bill to amend an act entitled an act to revise, simplify and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852," have had the

same under consideration, and have instructed me to report the same back to the Senate without amendment, and recommend its passage.

Which report was concurred in.

Mr. Oyler, chairman of the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 144, a bill to provide for impartially empanneling juries in certain cases, have had the same under consideration and have instructed me to report the same back to the Senate without amendment and recommend its passage.

Which report was concurred in.

By consent of the Senate, Mr. Cullen offered the following resolution:

Resolved, That the Committee on the Rights and Privileges of the Inhabitants of the State, be and are hereby requested to return Senate bill No. 4 to the Senate, the same being a bill to establish a Soldiers' Home.

Mr. Gifford moved that the resolution be laid on the table.

The ayes and noes were demanded by Messrs. Cullen and Oyler.

Those who voted in the affirmative were,

Messrs. Barker, Bonham, Cason, Church, Cravens, Gifford, Howk, Humphreys, Jaquess, Kinley, Lee, Mason, Milligan, Newlin, Niles, Reagan, Reynolds, Robinson, Stein, Taggart, Turner, Ward, and Mr. President—23.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Cullen, Hyatt, Johnson, Oyler, Richmond, Smith, Staggs, Thompson, and Wolcott—11.

So the resolution was laid on the table.

By consent of the Senate, Mr. Cullen offered the following resolution :

Resolved, That the Committee on the Rights and Privileges of the Inhabitants of this State, be instructed to report back to the Senate as soon as possible Senate bill No. 4, "A bill to establish a Soldiers' Home."

Which resolution was adopted.

The hour having arrived, the Special Order, being Senate bill No. 70, "A bill to amend section 57 of an act for the incorporation of cities, approved Dec. 20, 1865, authorizing subscriptions and donations to aid in the construction of plank, macadamized and railroads running into or through such cities, prescribing the manner in which subscriptions or donations may be made, and for the enforcement thereof," and the pending amendments thereto, was taken up.

The question being, shall the bill be recommitted to the Committee on Corporations, with the instructions to amend offered by Mr. Niles?

It was not agreed to.

Mr. Carson moved to recommit the bill with the following instructions :

Amend the bill so as to require that "a majority of freeholders representing an amount of the taxes upon the real estate within the limits of such city equal to one-half the entire valuation of the real estate of such city."

Which was not agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bennett, Cason, Carson, Church, Cravens, Cullen, Gifford, Hawk, Humphreys, Hyatt, Jaquess, Johnson, Lee, Mason, Newlin, Reagan, Reynolds, Robinson, Staggs, Stein, Thompson, Ward, and Wolcott—25.

Those who voted in the negative were,

Messrs. Bonham, Niles, Oyler, Parrish, Smith, Taggart, and Mr. President—7.

No quorum voting.

On motion by Mr. Cravens, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Barker, Bellamy, Bennett, Bonham, Cason, Carson, Church, Cravens, Cullen, Gifford, Howk, Humphreys, Hyatt, Jaquess, Johnson, Lee, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Stein, Taggart, Thompson, Turner, Ward, Wolcott, and Mr. President—35.

On motion by Mr. Cravens, the further call of the Senate was dispensed with.

A quorum being present, the roll was again called on the passage of Senate bill No. 70.

The question again being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bennett, Bonham, Cason, Carson, Church, Cravens, Cullen, Gifford, Howk, Humphreys, Hyatt, Jaquess, Johnson, Lee, Mason, Milligan, Newlin, Parrish, Reagan, Reynolds, Richmond, Robinson, Staggs, Stein, Thompson, Turner, Ward, and Wolcott—30.

Those who voted in the negative were,

Messrs. Niles, Oyler, Smith, Taggart, and Mr. President—5.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Oyler moved to take from the table Senate bill No. 103, "A bill to prevent persons from injuring or destroying insured property,

and from making false proofs thereof, prescribing penalties for the same," and the report of the committee thereon.

Which was agreed to.

Mr. Oyler moved to recommit the bill to the Committee on the Judiciary.

Which was agreed to.

The hour having arrived, the Special Order, being Senate bill No. 37, a bill to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, and the pending amendments thereto.

Was taken up.

Mr. Cravens moved the following amendment to the amendment:

Amend section 57, by providing that donations and subscriptions of stock to any railroad, plank road, or macadamized road, running into or through such city, shall only be made on the petition of a majority of the resident free holders, and when so made shall only be paid when such road or roads shall be so far completed as to admit of the running of trains in the case of railroads, and the passage of wagons, in the case of roads other than railroads, and that the substantial meaning of said petitions may be enforced on the application of any signer of such petition or petitions, or President of any road, in aid of the construction of which subscription or donation is made.

Which was agreed to.

The amendment, as amended was then adopted, and the bill read a second time, and ordered to be engrossed for a third reading on tomorrow.

By unanimous consent of the Senate, the following bills were introduced:

Mr. Jaquess introduced

Senate bill No. 154. A bill to revise and amend the sixth section of an act entitled "An act granting to the citizens of the town of

Evansville, in the county of Vanderburgh, a city charter," approved January 27, 1847.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Richmond introduced

Senate bill No. 155. A bill to regulate the salaries of Clerks of the Circuit Court, County Auditors, County Recorders, and Sheriffs, and to provide for the payment of their fees into the county treasuries of the State, and providing for their deputies and their salaries and appointment.

Which was read a first time, and referred to the Committee on County and Township Business.

Mr. Bellamy introduced

Senate bill No. 156. A bill regulating the filing of petitions of complaints in Commissioners Courts.

Which was read a first time, and referred to the Committee on County and Township Business.

Mr. Reagan introduced

Senate bill No. 157. A bill creating, establishing, and providing for the management and maintenance of four Colleges of Agriculture and Mechanic Arts, to be located at Indianapolis, Crawfordsville, Greencastle and Bloomington.

Which was read a first time, and referred the Special Joint Committee on Agricultural Colleges.

Mr. Niles introduced

Senate bill No. 158. A bill concerning the Supreme Court.

Which was read a first time, and referred to the Committee on Public Buildings.

A message from the Governor, by Captain John M. Commins, his Private Secretary :

MR. PRESIDENT :

I am directed by the Governor to transmit herewith a message, from His Excellency, in regard to the Soldiers' Home, at Knightstown.

To the Senate and House of Representatives :

I desire to call the immediate attention of the General Assembly to the urgent wants of the Soldiers' Home at Knightstown.

The current expenses for the months of December and January, amounting in the aggregate to about twenty-five hundred dollars, are unpaid and unprovided for, and in consequence of the fact that the Superintendent is unable to purchase supplies for the current month, because of the non-payment of former bills, I have felt constrained to draw upon the "Soldiers' Relief Fund" to the amount of fifteen hundred and fifty-seven dollars and fifty-four cents to pay on the account, and I respectfully ask that my action herein may be sanctioned by the General Assembly, and that I may be authorized to draw upon said fund for the further sum of two thousand dollars, in such amounts as the same may from time to time be needed to defray the current expenses of the Home for the present month, and until provision shall be made by the General Assembly for its support.

The Board of Managers have discharged the soliciting agents in consequence of the difficulty of procuring voluntary contributions, it being generally believed by those who were disposed to contribute to the support of the Home that the Legislature would provide for it.

After deducting the \$1,557.54 for which I have drawn as aforesaid, there remains a balance in the State Treasury of \$25,570.23, of the five per cent of the taxes levied and collected for the year 1865, which was paid into the treasury under the 4th section of the act of December 20, 1865, to be applied, under the direction of the Governor, to the relief of sick, destitute, wounded or disabled Indiana soldiers.

CONRAD BAKER,

Lieutenant Governor of Indiana,

Acting as Governor.

EXECUTIVE DEPARTMENT, INDIANPOLIS, Feb. 5, 1867.

Mr. Oyler offered the following concurrent resolution :

Resolved by the Senate (the House concurring), That the draft made by the Governor for \$1,557.54 on the "Soldiers' Relief Fund," to pay the current expenses of the Soldiers' Home for the month of December, 1866, be and the same is hereby approved, and that the further sum of \$2,000, be and the same is hereby authorized to be drawn from the same Fund to pay the expenses of the Home for January, and until provision can be made for the Institution by the General Assembly.

Which was adopted.

Ordered, That the Secretary inform the House thereof.

Mr. Bellamy asked and obtained leave of absence for Mr. Kinley.

On motion by Mr. Oyler, the following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit :

House bill No. 190. A bill to raise revenue for State purposes for the year 1867 and 1868.

The bill contained in the foregoing message was read a first time and referred to the Committee on Finance.

HOUSE BILLS ON FIRST READING.

House bill No. 72. A bill to amend an act entitled an act to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each of said prisons, directing what counties shall send their convicts to the Northern State Prison, and providing for carrying on the work of building said Northern State Prison, and making appropriations for the support of said prison, approved June 1, 1861.

Was a read a first time, and referred to the Committee on State Prisons.

House bill No. 11. A bill amending section ten of an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855.

Was read a first time and referred to the Committee on County and Township Business.

House bill No. 17. A bill in relation to conveyances of land by persons of unsound mind.

Was read a first time and referred to the Committee on the Judiciary.

House bill No. 39. A bill to legalize and declare valid and effectual all the orders, judgments and other proceedings made, rendered and had by and before the Common Pleas Court of Clinton County, in this State, held in the Court House of said county in the months of October and November, in the year one thousand eight hundred and sixty-five, and then and there, by and before the several Judges of the said county.

Was read a first time and referred to the Committee on the Judiciary.

House bill No. 24. A bill to amend the 9th section of an act entitled an act for the election of Clerks of the Circuit Court, and prescribing some of their duties, approved June 7, 1852, to require the Clerk to deliver over all the books, papers, records and moneys in his hands to his successors.

Was read a first time and referred to the Committee on the Organization of Courts.

House bill No. 40. A bill to amend an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, approved June 18, 1852.

Was read a first time and referred to the Committee on the Judiciary.

House bill No. 93. A bill forbidding the locking of Railroad Cars in certain cases, and providing punishment thereof.

Was read a first time and referred to the Committee on Corporations.

House bill No. 53. A bill fixing the time of holding a Common Pleas Court in the county of Grant.

Was read a first time and referred to the Committee on the Organization of Courts.

HOUSE JOINT RESOLUTIONS.

House Joint Resolution No. 2. A joint resolution instructing our Senators, and requesting our Representatives in Congress to use their influence to have the interest bearing debt of the United States paid first.

Was read a first time and referred to the Committee on Finance.

On motion by Mr. Gifford, the Senate adjourned.

WEDNESDAY AFTERNOON, 2 o'clock, }
February 6, 1867. }

The Senate met.

On motion by Mr. Gifford, the reading of the Journal was dispensed with.

Mr. Mason asked and obtained leave of absence for Mr. Turner.

On motion by Mr. Cullen, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Kinley, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Robinson, Staggs, Stein, Taggart, Thompson, Ward, Wolcott, and Mr. President.—39.

On motion by Mr. Oyler, the further call was dispensed with.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, without amendments :

Senate bill No. 98. A bill making specific appropriations for the support of Benevolent Institutions.

Also, that the House has passed the following engrossed House bills, to-wit :

Engrossed House bill No. 12, a bill to constitute the fourteenth Judicial Circuit of Indiana, to fix the time of holding the Courts in said Circuit, and to repeal all laws in conflict therewith.

House bill No. 49. A bill creating the seventeenth Judicial Circuit, and fixing the times of holding Courts therein.

By unanimous consent of the Senate, Mr. Houghton, Chairman of the Committee on Public Buildings, made the following report:

MR. PRESIDENT:

The Committee on Public Buildings, to whom was referred Senate bill No. 158, a bill concerning the Supreme Court, have had the same under consideration, and have instructed me to report it back and recommend its passage.

Which report was concurred in, and the bill therein contained was read a second time, and ordered to be engrossed for a third reading on to-morrow.

The hour having arrived, the Special Order, being House bill No. 42, "A bill to prevent the breaking of a quorum in the General Assembly, and prescribing punishment therefor."

Was taken up.

Mr. Hanna moved to recommit the bill to the Committee on the Judiciary, with the following instructions:

Strike out from section second the words "Marion Criminal Circuit Court," and insert in lieu thereof, "the Senate of the State of Indiana," and to strike out also the whole section third, whereby it is declared that an emergency exists for the immediate taking effect of of this act.

Mr. Stein moved that the motion to recommit with instructions be laid on the table.

The ayes and noes being demanded by Messrs. Hanna and Gifford.

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, Cullen, English, Gifford, Hanna, Hawk, Huey, Huffman, Humphreys, Mason, Smith, Staggs, Taggart and Turner—16.

So the motion to recommit was laid on the table.

House bill No. 42 was then read a third time.

The question being, shall the bill pass?

Mr. Mason moved that it be recommitted to the Committee on the Judiciary, with instructions to strike out the third section.

Mr. Stein moved that the motion to recommit, with instructions, be laid on the table.

The ayes and noes being demanded by Messrs. Mason and Hanna.

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, Cullen, English, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Mason, Newlin, Smith, Staggs, Taggart, and Turner—18.

So the motion to re-commit, with instructions, was laid on the table.

The question recurring upon the passage of the bill,

Mr. Carson moved that it be re-committed to the Judiciary with the following instructions:

Inquire into the expediency of amending the bill by making the

offense a felony, and providing for the punishment of the Executive for counseling, aiding, or abetting any member to bolt.

Mr. Stein moved to lay the motion to recommit, with instructions, on the table.

The ayes and noes being demanded by Messrs. Hanna and Taggart,

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Hanna, Houghton, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Kinley, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Taggart, Thompson, Ward, Wolcott, and Mr. President—33.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Huey, Lee, Newlin, Smith, Staggs, and Turner—11.

So the motion to recommit, with instructions, was laid upon the table.

Mr. Stein moved the previous question, which was seconded by the Senate.

The question being, shall the main question be now put?

It was agreed to.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Carson, Church, Cravens, Hyatt, Jaquess, Johnson, Kinley, Lewis, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—26.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, Cullen, English, Gifford, Hanna,

Houghton, Huey, Huffman, Humphreys, Lee, Mason, Newlin, Smith, Staggs, Taggart, and Turner—18.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Kinley asked and obtained leave of absence for Mr. Bellamy.

Mr. Bennett asked and obtained leave of absence for Mr. Howk.

By unanimous consent of the Senate, Mr. Cason, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred Senate bill No. 102, "A bill to provide for the custody and management of the notes and mortgages arising directly out of loans heretofore made by the Board of Sinking Fund Commissioners to continue in force all laws or parts of laws in force on the 20th day of January, 1867, which are applicable to said loans and the securities therefor; to cloth said Auditor with the power and subject him to the duties in relation to said loans and securities therefor; which by the said laws are vested in or imposed upon said Board of Sinking Fund Commissioners; to provide for the incidental expense of the management of said loan and securities, including clerk hire, and for the mode and periods of the payment of such allowance for expenses, substituting the seal of the Auditor of State for that of the Board of Sinking Fund Commissioners, and declaring an emergency for the immediate taking effect of this act," have had said bill under consideration, and have directed me to report the same back with the following amendments, and after being so amended they recommend its passage.

Amend by striking out the word "said" in tenth line of the preamble before the word "auditor." And by adding three new sections to be placed and come in after section three in the original bill, said amendments being numbered sections four, five, and six. And sections four and five of the bill to be changed to section seven and eight.

Which report was concurred in, and the amendments adopted.

On motion by Mr. Cason, the bill contained in the foregoing report was read a second time.

Mr. Mason moved that the rules be suspended, the bill considered as engrossed, and that it be read a third time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Kinley, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Stein, Thompson, Ward, Wolcott, and Mr. President—39.

Mr. Humphreys voting in the negative.

So the rules were suspended, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Houghton, Hyatt, Jaquess, Johnson, Kinley, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—31.

Those who voted in the negative were,

Messrs. Barker, Hanna, Huey, Huffman, Humphreys, Smith, Staggs, and Taggart—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

The President announced a special order, being Senate bill No. 46, A bill to regulate the sale of spirituous, vinous, malt or other intoxicants.—S. J.—22.

cating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof, and the pending amendments thereto.

Mr. Wolcott moved to postpone the further consideration of the bill and amendments until Monday, February 11, at 2 o'clock P. M., and that they be made the special order for that hour.

Which was agreed to.

On motion by Mr. Johnson, the Senate adjourned.

THURSDAY AFTERNOON, 2 o'CLOCK, }
February 7, 1867. }

The Senate met.

The Journal of yesterday was read.

Mr. Cravens asked and obtained leave of absence for Mr. Kinley.

The hour having arrived, the Special Order, being Senate bill No. 16, "A bill defining a legal day and prescribing the number of hours of labor in a day's work," was taken up.

Mr. Cravens moved that the further consideration of the bill be postponed until Thursday, February 14th, at 2 o'clock P. M., and that it be made the special order for that hour.

Which was agreed to.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Bennett presented a petition from sundry citizens of Indiana on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Brown presented a petition on the subject of temperance, from sundry citizens of Indiana.

Which was referred to the Committee on Temperance.

Mr. Wolcott presented a petition from sundry citizens of Indiana on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Reagan presented a petition from sundry citizens of the State on the subject of temperance.

Which was referred to the Committee on Temperance.

The President laid before the Senate a petition from sundry citizens of the State, asking the enactment of a prohibitory liquor law,
Which was referred to the Committee on Temperance.

Mr. Huffman presented a petition from sundry citizens of the State on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Armstrong presented a petition from sundry citizens of Indiana on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Huey presented a petition from sundry citizens of the State, asking relief for Peter Wells and Benoni Wells.

Which, on motion by Mr. Huey, was referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Milligan presented a petition from J. H. Nixon, Clerk of the Synod of Northern Indiana, on the subject of divorces, gift enterprises, and lotteries.

Which was referred to the Committee on the Judiciary.

Mr. Milligan presented a petition from sundry citizens of the State on the subject of Agriculture.

Which was referred to the Committee on Agriculture.

Mr. Lee presented a petition from sundry citizens of Indiana, asking the enactment of a law compelling Railroad Companies to reduce and equalize their freights and fares.

Which was referred to the Committee on Corporations.

Mr. Bennett presented an affidavit by John H. Holliday, made on examination before a Special Committee of the House, charging the officers and attaches of the Senate with bribery and corruption.

Mr. Bennett moved that a special committee of three be appointed to investigate the charge.

Which was agreed to, and the President appointed Messrs. Bennett, Turner, and Armstrong said committee.

The President announced that the hour had arrived for the consideration of the Special Order, being the report of the Special Joint Committee on Public Buildings, whereupon

Mr. Cravens, chairman of said Special Joint Committee, made the following additional report :

MR. PRESIDENT :

The committee heretofore appointed to inquire into the practicability of procuring suitable buildings, for use as State offices, made their report upon the understanding that they were instructed to secure such buildings on lease or rent. The Senate subsequently by resolution instructed said committee to inquire as to the terms upon which a building or buildings for said purpose could be had by purchase ; and by another resolution to inquire into and report as to the conditions of the lease upon which the building now so occupied are held. The committee respectfully submit the following as their report in reference to said resolutions.

Herewith will be found propositions submitted for the consideration of the Senate, laid before your committee by W. P. & E. P. Gallup and George W. Miller, proposing to sell to the State the property named, in said proposals respectively, and for the sums therein named.

The committee has also ascertained the fact that the lease of the building now held by the State of George McOuat, was made in the year 1864, for five years from date, by Joseph Ristine, then Auditor of State ; but your committee have been unable to find any special authority delegated to the Auditor of State to make such contract.

All of which is respectfully submitted.

Mr. Cravens moved to refer the pending Special Order, and the additional report of the Special Joint Committee, to the Committee on Public Buildings.

Which was agreed to.

A message from the House, by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives to

inform the Senate, that he has signed the following enrolled acts, to-wit:

Enrolled act No. 98, Senate, an act making specific appropriations for the support of the Benevolent Institutions.

Enrolled act No. 42, H. R., an act to prevent the breaking of a quorum in the General Assembly, and prescribing punishment therefor.

A message from the House, by Mr. Nixon, Clerk thereof.

Mr. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed House bill, to-wit:

House bill No. 83. A bill to provide for the protection of wild game, and defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, and repealing all laws inconsistent herewith, and declaring an emergency.

On motion by Mr. Cravens,

Senate bill No. 30. A bill to provide for the protection of fish, defining the time in which they may be trapped or netted, affixing the penalty for the violation of the act, and declaring an emergency,

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Gifford, Hanna, Houghton, Huffman, Humphreys, Hyatt, Jaquess, Lee, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reynolds, Reagan, Richmond, Robinson, Staggs, Stein, Terry, Thompson, Ward and Wolcott—32.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Huey, Johnson, Mason, Taggart and Turner—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Richmond,

Senate bill No. 36. A bill to amend an act to provide for the appointment of a Sheriff of the Supreme Court, and prescribing certain of his duties and fees, approved May 13, 1852.

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bonham, Brown, Cason, Church, Cullen, Houghton, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagon, Reynolds, Richmond, Robinson, Stein, Terry, Thompson, Ward, Walcott and Mr. President—29.

Those who voted in the negative were,

Messrs. Bowman, Carson, English, Gifford, Huey, Huffman, Humphreys, Lee, Newlin, Smith, Staggs, Taggart and Turner—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Oyler,

Senate bill No. 2. A bill to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named and providing compensation for the services of such officers.

Was taken up, and made the special order for Tuesday, February 12th, at 2 o'clock P. M., by unanimous consent of the Senate.

Mr. Wolcott, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

The Finance Committee, to whom was referred House bill No. 190. A bill to raise revenue for State purposes for the years one thousand

eight hundred and sixty-seven and one thousand eight hundred and sixty-eight, have considered the same, and they have directed me to report that they approve the said bill and recommend its passage.

Which report was concurred in, and the bill therein contained was read a second time, and passed to a third reading on to-morrow.

Mr. Cullen moved to suspend the order of business and take up Senate bills on third reading.

Which was agreed to.

SENATE BILLS ON THIRD READING.

Senate bill No. 158. A bill concerning the Supreme Court.
Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, Gifford, Houghton, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Niles, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott and Mr. President—30.

Those who voted in the negative were,

Messrs. Barker, Bowman, English, Huey, Huffman, Humphreys, Milligan, Newlin, Noyes, Smith, Staggs, Taggart and Turner—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 13. A bill to authorize and provide for changes of venue in civil actions in certain cases.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Cullen, Houghton, Huffman, Humphreys, Hyatt,

Jaquess, Johnson, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reynolds, Reagan, Richmond, Robinson, Smith, Stein, Terry, Thompson, Turner, Ward, Wolcott and Mr. President—34.

Those who voted in the negative were,

Messrs. Barker, English, Gifford, Huey, Lee, Staggs and Taggart—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 39. A bill creating the Seventeenth Judicial Circuit, and fixing the times of holding courts therein.

Was read a third time, and,

On motion by Mr. Richmond, laid upon the table.

Senate bill No. 9. A bill to amend section 13 of an act, providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bennett, Bonham, Cason, Church, Cravens, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Stein, Thompson, Turner, Ward, and Wolcott—21.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Brown, Carson, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Staggs, Taggart, Terry, and Mr. President—22.

So the bill did not pass.

Senate bill No. 40. A bill defining what counties shall constitute the 13th Judicial Circuit.

Was read a third time, and,

On motion by Mr. Richmond, laid on the table.

Senate bill No. 42. A bill defining what constitutes the Seventh Judicial Circuit, and fixing the times of holding Courts therein.

Was read a third time, and,

On motion by Mr. Richmond, laid on the table.

Senate bill No. 53. A bill to amend the first section of an act entitled "An act to amend the first section of an act to amend an act entitled 'an act to amend the sixth section of an act providing for the organization of County Boards,' and prescribing some of their powers and duties," which first mentioned act was approved June 17, 1852; the said second mentioned act was approved February 16, 1859, which latter act, last above mentioned, was approved March 9, 1861, and which act, hereby amended, was approved March 7, 1863.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bowman, Brown, Carson, Cullen, English, Gifford, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robison, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—37.

Those who voted in the negative were,

Messrs. Barker, Church, and Milligan—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 61. A bill to amend section thirty of an act entitled "An act to amend an act entitled 'An act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto,' approved March 5, 1859, which last mentioned act was approved December 20, 1865."

Was read a third time.

The question being, shall the bill pass

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bonham, Bowman, Cason, Carson, Cravens, Cullen, English, Gifford, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Richmond, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Walcott, and Mr. President—40.

Those who voted in the negative were,

Messrs. Brown and Church—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 63. A bill for the repeal of statutes not in conformity with the ruling of the Supreme Court in the case of Langdon against Applegate and others, and limiting actions arising out of the same, or for violation thereof.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Gifford, Houghton, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—32.

Those who voted in the negative were,

Messrs. Cullen, English, Hanna, Huey, Humphreys, Mason, Newlin, Smith, Staggs, Taggart and Turner—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 74. A bill amendatory of an act entitled an act to provide for the more uniform method of doing township business,

prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act, approved February 18, 1859.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, Gifford, Hanna, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Turner, Ward, Wolcott, and Mr. President—33.

Those who voted in the negative were,

Messrs. Barker, Bowman, English, Humphreys, Noyes, Smith, Staggs, Taggart, and Terry—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 95. A bill to amend an act entitled an act providing for the election or appointment of Supervisors of Highways, prescribing certain of their duties, and those of County and Township officers in relation thereto, approved March 5th, 1859, approved December 20th, 1865.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Huey, Huffman, Humphreys, Jaquess, Johnson, Lewis, Mason, Noyes, Oyler, Parrish, Reagan, Reynolds, Robinson, Smith, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—35.

Those who voted in the negative were,

Messrs. Hanna, Hyatt, Lee, and Staggs—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 8. A bill to provide for the care and custody of the person and estate of habitual drunkards.

Was read a third time.

The question being, shall the bill pass?

Mr. Stein moved that it be recommitted to the Committee on Temperance with the following instructions:

Amend by providing that the wife, child, parent or parent-in-law, brother or brother-in-law, or sister or sister-in-law, of any party charged with being a habitual drunkard, only shall make the complaint.

Mr. Richmond moved to lay the motion to recommit with instructions on the table.

Which was agreed to.

The question recurring upon the passage of the bill,

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Brown, Cason, Cravens, Cul-
len, Houghton, Hyatt, Johnson, Lewis, Milligan, Noyes, Oyler, Reagan,
Reynolds, Richmond, Robinson, Smith, Stein, Terry, Thompson,
Turner, Ward, Wolcott and Mr. President—26.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, Church, English, Gifford, Hanna,
Huey, Huffman, Humphreys, Jaquess, Lee, Mason, Newlin, Parrish,
Staggs and Taggart—17

So the bill passed.

Ordered, That the Secretary inform the House thereof.

A message from the Governor, by Capt. John M. Commons, his Private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has

approved and signed Enrolled Act No. 98, entitled "An act making specific appropriations for the support of the Benevolent Institutions," and that the same has been deposited in the office of the Secretary of State.

The President laid before the Senate, the following communication, from the Adjutant General of this State :

EXECUTIVE DEPARTMENT OF INDIANA, }
 ADJUTANT GENERAL'S OFFICE, }
 Indianapolis, Feb 7, 1867. }

To the President pro tem. of the Senate of Indiana :

SIR:—I send herewith a copy of a communication to the General Assembly, and have the honor respectfully to request that you will lay the same before the Senate this P. M.

The Doorkeeper has been supplied with copies, for distribution to the Senators.

Very Respectfully,

W. H. H. TERRELL,

Adjutant General, Indiana.

Mr. Stein asked and obtained leave of absence for Mr. Jaquess.

By unanimous consent of the Senate, Mr. Carson from the Committee on Finance, made the following report :

MR. PRESIDENT :

The Finance Committee, to whom was referred the report of Governor Baker, dated February 2, 1867, in response to a resolution of the Senate requesting Governor Baker to communicate the amount and manner of the expenditure of the fund collected under the act for the relief of soldiers families, and what amount, if any, of said fund still remains on hand, have considered the same, and have directed me to report the same back to the Senate with a recommendation that the same be approved.

Which was concurred in.

By unanimous consent of the Senate, Mr. Jaquess offered the following concurrent resolution :

Be it resolved by the Senate, the House concurring, That the Mili-

tary Auditing Committee, composed of Hon. Paris C. Dunning, John A. Hendricks and Alfred Kilgore, be, and they are hereby instructed in accordance with section sixty-eight of an act entitled an act making general appropriations for the years 1865 and 1866, which reads as follows to-wit:

The books, records, vouchers and evidences adduced in support of claims of the present and former Military Auditing Committee shall be filed as soon as practicable, in the office of the Auditor of State, who shall safely keep and preserve the same, and the Committee shall continue their sessions until the next regular meeting of the Legislature, if the duties herein imposed upon them be not fully discharged and completed before that time, and upon the completion of their labors they shall make and submit a full and succinct report of their transactions, for the information of the General Assembly, forthwith to comply with the same so far as making their report to this Assembly is concerned, and to all previous claims that were by them suspended and rejected to the Chairman of the Committee on Claims of the Senate.

Which, on motion by Mr. Hanna, was referred to the Committee on Claims.

On motion by Mr. Thompson, the Committee on the Affairs of the City of Indianapolis was instructed to return to the Senate, the claim for street improvements heretofore referred to it.

On motion by Mr. Gifford, the Senate adjourned.

FRIDAY AFTERNOON, 2 o'clock, }
February 8, 1867. }

The Senate met.

The Journal of yesterday was read.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Hanna presented a petition from sundry citizens of Indiana, asking the enactment of a law regulating the measurement of bricklayers, plasterers, stone masons, carpenters, joiners, and painters work.

Mr. Hanna moved that the petition be referred to a special committee of three.

Which was agreed to.

And the President appointed Messrs. Hanna, Stein and Thompson said committee.

REPORTS FROM STANDING COMMITTEES.

Mr. Richmond, Chairman of the Committee on Elections, made the following report :

MR. PRESIDENT :

The Committee on Elections, to whom was referred House bill No. 18, "A bill to amend section 15, and to repeal sections No. 29 and 30 of an act regulating general elections and prescribing duties of the officers in relation thereto," approved June 7, 1852, and prescribing further duties of the officers, have had the same under consideration, and have directed me to report the same back to the Senate without amendments, and recommend its passage.

Which report was concurred in.

Mr. Oyler, from the Committee on Elections, made the following report :

MR. PRESIDENT :

The Committee on Elections, to whom was referred Senate bill No. 65, a bill to punish officers of elections for illegal votes, have had the same under consideration, and recommend that said bill be laid upon the table, from the fact that the contents of said bill are embodied in another now before the Senate.

Which report was concurred in, and the bill therein contained laid on the table.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 76, a bill to increase the salary of the Prosecuting Attorneys of the Criminal Circuit Courts and providing the manner for the payment of the same, have had the same under consideration, and have directed me to recommend that the same be amended as follows, to-wit :

Instead of lines 8, 9 and 10, to, and including the word "of" in line 11, substitute the following words, to-wit :

"That there may be allowed by the Board of Commissioners of any county in which there is a Criminal Circuit Court an additional salary of not exceeding, and when so amended, the Committee recommend its passage."

Which report was concurred in, and the amendments adopted.

Mr. Mason, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 3, "A bill regulating the salaries of Prosecuting Attorneys, and repealing all laws inconsistent therewith," instruct me to report the same back to the Senate, and recommend that it be indefinitely postponed.

On motion by Mr. Mason, the report was laid on the table.

Mr. Cason, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 40, a bill to amend an act entitled "An act to revise, simplify, and abridge the rules, pleadings, practice, and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleadings and practice, without distinction between law and equity," approved June 18, 1852, have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend its passage.

Which was concurred in.

Mr. Bennett, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 39, "A bill to legalize and declare valid and effectual all the orders, judgments, and other proceedings made, rendered, and had by and before the Common Pleas Court of Clinton county, in this State, held in the Court House of said county, in the months of October and November, in the year one thousand eight hundred and sixty five, and, then and there, by and before the several Judges of the said Court," have had the same under consideration, and refer the same back to the Senate, with the recommendation that the bill do pass.

Which report was concurred in.

Mr. Cason, from the Special Committee on Agricultural College, made the following report :

MR. PRESIDENT :

The Committee on the Agricultural College, to whom was referred Senate bill No. 139, entitled "A bill to carry into effect the benefits of an act of Congress, approved July 5, 1862, entitled 'An act donat-

ing public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts,' and to establish and locate a College for the promotion of general science and the teaching of such branches of learning as are related to Agriculture and the Mechanic Arts and Military Tactics, and for the acceptance of donations for the benefit of such College," have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments, viz :

1st. After the word "duty," in the 13th line of the fifth section, add "and his actual expenses, upon an itemized statement of such expenses to be filed with and kept by the Secretary."

2d. After the 13th section insert the following two sections, viz :

Sec. 14. The Board of Trustees organized under this act shall turn over all moneys arising from the sale of said scrip as fast as received, to the Treasurer of State, who, before receiving the same, shall execute his additional official bond to the State in the penal sum of one hundred thousand dollars, with sureties to be approved by the Governor, and conditioned for the faithful application of said moneys as required by this act, and that he account for and pay over to his successor in office all of said moneys, and all books, vouchers, securities, and effects pertaining to the same which may be in his hands.

Sec. 15. All disbursements or allowances made by said Board of Trustees under the powers conferred by this act and chargeable against the funds arising from the sale of said scrip, shall be certified under the hand of the President and Secretary of said Board, and the seal of said Board, to the Auditor of State, who shall draw his warrant for the payment of the same on the Treasurer of State.

3d. Strike the words "under future legislation" out of the 7th line of the 14th section.

4th. Fill the first blank in the second line of the 15th section with the word "first," and the second blank in said line with the word "May," and the blank in the 3d line of said section with the words "John U. Pettit and Henry Taylor;" and the blank in the 5th line of said section with the words "Henry Taylor," and the blank in the 7th line of said section with the words "John U. Pettit."

5th. Strike from the 16th section the words "perpetually" and "perpetual."

6th. Change the numbers of the following sections, viz : "14" to "16," "15" to "17," "16" to "18."

7th. After the 16th section insert the following section, viz :

Sec. 19. The Trustees appointed by this act are hereby authorized and empowered to erect or procure suitable buildings and from to put said College into successful operation within three years ; provided, that the same shall be done upon voluntary contributions without any expense to, or charge against, the State ; and, provided further, that if such buildings be not erected or had, and such farm procured to the satisfaction of said Trustees, or a majority of them, within the next three years, the site established by this act shall be revocable at the pleasure of the General Assembly.

8th. Strike the figures "15" out of the first line of the 17th section and insert "17."

9th. Change the numbers of the following sections as follows : "17" to "20," "18" to "21," "19" to "22."

The foregoing amendments being adopted, the Committee instruct me to recommend the passage of the bill.

Which report, on Motion by Mr. Cason, was laid on the table.

Mr. Ward, Chairman of the Committee on Roads, made the following report :

MR. PRESIDENT :

The Committee on Roads, to whom was referred Senate bill No. 54, a bill authorizing the assessment of all the lands within one and one-half miles of the terminus of any plank, macadamized or gravel road, organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled "An act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852, when the subscription to such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same and the collection of such assessment, provided the lands are suitable within the county in which such road is located, have had the same under consideration, and report it back with the recommendation that the following sections be added to said bill, to-wit :

Sec. 6. Any such company or person, feeling aggrieved by any such assessment may appeal from such assessment to the Circuit Court, or Court of Common Pleas, of the county in which such lands so assessed are situated, and shall then have the right to have the question of such assessment submitted to a jury for re-assessment, when and where witnesses may be examined on behalf of said company or person, and the jury may also at the request of either party review the premises and shall re-assess said lands and such re-assessment shall be final between the parties.

Sec. 7. An emergency exists for the immediate taking effect of this act, therefore it shall be in force from and after its passage.

And when the bill is so amended recommend its passage.

Which report was concurred in, and the amendments adopted.

Mr. Johnson, from the Committee on Corporations, made the following report :

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 92, a bill to amend the 5th clause of section 22 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852, have had the same under consideration, and have instructed me to report the same back with the following amendments :

Amend by striking out all after the enacting clause, and inserting the following :

That section twenty-two of said act, which reads as follows :

SECTION 22. The Board of Trustees shall have the following powers, viz :

First. To have a common seal and alter the same.

Second. To purchase, hold, or convey, any estate, real or personal, for the use of corporations, so far as such purchase may be necessary to carry out the objects contemplated by this act.

Third. To organize fire companies, hook and ladder companies, to regulate their government, and the times and manner of their exer-

aise ; to provide all necessary apparatus for the extinguishment of fires ; to make owners of buildings provide ladders and fire buckets, which are hereby declared to be appurtenances to the real estate, and exempt from execution, seizure or sale ; and if the owners shall refuse to procure suitable ladders, or fire buckets, after reasonable notice, the trustees may procure and deliver the same to him, and in default of payment therefor, may recover of said owner the value of such ladder or fire buckets, by suit, before any justice of the peace, in the proper township, and costs accrued thereby ; to regulate the storage of gunpowder and other dangerous material ; to direct the construction of a place for the safe deposit of ashes, and may, under an order by them entered upon the proper book of the board, visit, or appoint one or more fire wardens to visit and examine, at all reasonable hours, dwelling houses, lots, yards, enclosures, and buildings of every description, to discover the remedies for such danger ; to regulate the manner of putting up stoves and stove pipes ; to prevent out-fires and the use of fire-works, and the discharge of fire-arms within the limits of said corporation, or such parts thereof as they may think proper, to compel the inhabitants of such towns to aid in the extinguishment of fire, and prevent its communication to other buildings, under such penalties as are in this act provided ; to construct and preserve reservoirs, wells, pumps, and other water works, and to regulate the use thereof, and generally to establish other measures of prudence for the prevention or extinguishment of fires as they shall deem proper.

Fourth. To declare what shall constitute a nuisance, and to prevent, abate, or remove the same, and to take such other measures for the preservation of public health as they shall deem necessary.

Fifth. To restrain from running at large, cattle, sheep, swine, and other animals.

Sixth. To restrain and prohibit gambling, and other disorderly conduct ; to suppress and prohibit the keeping of houses of ill fame, and to authorize the seizure and destruction of gambling apparatus.

Seventh. To license, regulate, and restrain auction establishments, traveling peddlars and public exhibitions within the corporation.

Eighth. To establish and regulate markets, and build market houses, and direct the location of slaughter houses.

Ninth. To lay out, open, grade, and otherwise improve the streets,

alleys, sewers, sidewalks, and crossings, and keep them in repair, and to vacate the same.

Tenth. To appoint street commissioners, and also fire wardens, not exceeding three.

Eleventh. To prohibit incumbrance of sidewalks of said town, and riding or driving thereon, except to cross the same.

Twelfth. To insure the public property of such town.

Thirteenth. To purchase, lay out, and regulate cemeteries.

Fourteenth. To plant trees upon the public grounds, and along the streets of such town, and provide for their culture and preservation, and to enclose any public square or other public grounds, within said incorporation.

Fifteenth. To levy and collect annual taxes, not exceeding fifty cents on the hundred dollars valuation, and twenty-five cents poll-tax on all property subject by law to taxation.

Sixteenth. To make and establish such by-laws, ordinances and regulations, not repugnant to the laws of this State, as may be necessary to carry into effect the provisions of this act, and to repeal, alter or amend the same as they shall seem to require; but every by-law, ordinance or regulation, unless in case of emergency, shall be published in a newspaper in such town, if one be printed therein, or posted in five public places, at least ten days before the same shall take effect.

Seventeenth. Such Board of Trustees shall have power to complete school houses now in progress of erection and to provide for the payment of the same; to erect or provide such school houses as may be necessary for the use of the schools of the town; to keep them in repair, and to provide fuel and other necessities therefor.

Eighteenth. To construct all necessary wharves and landings for steamboats and other vessels where such town is situated on the banks of any navigable stream or water course.

Nineteenth. Such board of trustees shall have power to levy and collect annual taxes not exceeding thirty cents on the hundred dollars valuation, on all property subject by law to taxation for the support of town schools within their said corporation.

Be amended to read as follows:

SECTION 22. The board of trustees shall have the following powers, viz:

First. To have a common seal and alter the same.

Second. To purchase, hold or convey any estate, real or personal for the use of the corporation, so far as such purchase may be necessary to carry out the objects contemplated by this act.

Third. To organize fire companies and hook and ladder companies; to regulate their government, and the times and manner of their exercise; to provide all necessary apparatus for the extinguishment of fires; to make the owners of buildings provide ladders and fire buckets, which are hereby declared to be appurtenances to the real estate, and exempt from execution, seizure or sale; and if the owner shall refuse to procure suitable ladders or fire buckets, after reasonable notice, the Trustees may procure and deliver the same to him, and in default of payment therefor, may recover of said owner the value of such ladder or fire buckets, by suit before any Justice of the Peace in the proper township, and costs accrued thereby; to regulate storage of gunpowder, and other dangerous material; to direct the construction of a place for the safe deposit of ashes; and may under an order by them entered upon the proper book of the Board, visit, or appoint one or more fire wardens to visit and examine, at all reasonable hours, dwelling houses, lots, yards, inclosures and buildings of every description, discover if any of them are in a dangerous condition, and provide proper remedies for such danger; to regulate the manner of putting up stoves and stovepipes; to prevent out fires and the use of fire works, and the discharge of fire arms within the limits of said corporation, or such parts thereof as they may think proper; to compel the inhabitants of such town to aid in the extinguishment of fire, and prevent its communication to other buildings, under such penalties as are in this act provided; to construct and preserve reservoirs, wells, pumps, and other waterworks, and to regulate the use thereof, and generally to establish other measures of prudence for the prevention or extinguishment of fires as they shall deem proper.

Fourth. To declare what shall constitute a nuisance and to prevent, abate and remove the same, and take such other measures for the preservation of the public health as they shall deem necessary.

Fifth. To restrain from running at large, cattle, sheep, swine, or other animals.

Sixth. To restrain and prohibit gambling and other disorderly

conduct; to suppress and prohibit the keeping of houses of ill-fame; and to authorize the seizure and destruction of gambling apparatus.

Seventh. To license, regulate, or restrain the sale of wine, spirits, or other intoxicating liquors, auction establishments, traveling peddlars, and public exhibitions within the corporation.

Eighth. To establish and regulate markets and build market houses, and direct the location of slaughter houses.

Ninth. To lay out, open, grade, and otherwise improve the streets, alleys, sidewalks, and crossings, and keep them in repair, and to vacate the same.

Tenth. To appoint Street Commissioners and also Fire Wardens, not exceeding three.

Eleventh. To prohibit incumbrance of the sidewalks of said town, and riding or driving thereon, except to cross the same.

Twelfth. To insure the public property of such town.

Thirteenth. To purchase, lay out, and regulate cemeteries.

Fourteenth. To plant trees upon public grounds, and along the streets of such town, and provide for their culture and preservation, and to enclose any public square or other public grounds within said corporation.

Fifteenth. To levy and collect annual taxes, not exceeding fifty cents on the hundred dollars valuation, and twenty-five cents poll tax, on all property subject by law to taxation.

Sixteenth. To make and establish such by-laws, ordinances, and regulations, not repugnant to the laws of this State, as may be necessary to carry into effect the provisions of this act, and to repeal, alter, or amend the same as they shall seem to require; but every by-law, ordinance, or regulation, unless in case of emergency, shall be published in a newspaper in such town, if one be printed therein, or posted in five public places, at least ten days before the same shall take effect.

Seventeenth. Such Board of Trustees shall have power to complete school houses now in progress of erection, and to provide for the payment of the same; to erect or provide such school houses as may be necessary for the use of the schools of the town; to keep them in repair, and to provide fuel and other necessities therefor.

Eighteenth. To construct all necessary wharves and landings for

steamboats and other vessels, where such town is situated on the banks of any navigable stream or water course.

Nineteenth. Said Board of Trustees shall have power to levy and collect annual taxes not exceeding thirty cents on the hundred dollars valuation, on all property subject by law to taxation, for the support of town schools within their said corporation.

Amend the title by striking out the words, "the 5th clause of."

And when so amended the committee recommend the passage of the bill.

Which report was concurred in, and the amendments adopted.

Mr. Thompson, Chairman of the Committee on Prisons, made the following report :

MR. PRESIDENT :

The Committee on State Prisons, to whom was referred House bill No. 12, an act to amend an act entitled "An act to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each of said Prisons, directing what counties shall send their convicts to the Northern State Prison, and providing for carrying on the work in building said Northern State Prison, and making appropriations for the support of said Prison," have had the same under consideration, and have instructed me to report the same back and recommend its passage.

Which was concurred in.

Mr. Houghton, chairman of the Committee on Public Buildings, made the following report :

MR. PRESIDENT :

The Committee on Public Buildings, to whom was referred Resolution of the Senate No. 30, inquiring into the expediency of employing a night watchman for the State House, have had the same under consideration.

They believe the public archives of the State of Indiana are well worthy of preservation. They therefore report the following bill and recommend its passage :

Senate bill No. 159. A bill providing for the appointment of a Night Watchman for the State House, to fix the salary of the same, and declaring an emergency.

Which report was concurred in, and the bill therein contained was read a first time and passed to a second reading on to-morrow.

Mr. Hyatt, from the Committee on the Affairs of the City of Indianapolis, made the following report:

MR. PRESIDENT:

The Committee on the Affairs of the City of Indianapolis, to whom was referred the petition of James and John Huffer, would respectfully report the same back to the Senate, with the following recommendations:

That the said petitioners have leave to withdraw the same, from the fact that the committee is informed that the petitioners desire to do so, for the purpose of presenting the same to the House of Representatives; and the committee ask to be discharged from the further consideration of the subject.

Which report was concurred in, and the committee was discharged from further consideration of said subject.

Mr. Noyes, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the claim of Milton S. Robinson, for expenses incurred in the contested election case of Robinson against Hunt, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it be referred to the Committee on Finance, and that he be allowed one hundred dollars.

Which report was concurred in.

Mr. Reagan, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the claim of

Robert Early, deceased, late Quartermaster Second Regiment Indiana Legion, amounting to four hundred and fifty-nine dollars and fifty cents, have carefully investigated the same and find that the Quartermaster General approved and certified that said claim was correct on the 19th day of May, 1863. Your committee further finds, that on the 28th day of May, 1863, the Second Military Auditing Committee acted upon and allowed said claim. Further, the Auditor of State represents that no such claim has been audited or paid at his office. From the various testimony in the hands of your committee, they are clearly of opinion that the claimant, viz., Robert Early, died before any appropriation was made by our Legislature, and that this claim is unpaid, and have directed me to report the same back, and recommend that it be allowed, and ask that it be referred to the Committee on Finance.

Which report was concurred in, and the claim was referred to the Committee on Finance.

Mr. Parrish, Chairman of the Committee on Military Affairs, made the following report:

MR. PRESIDENT:

The Committee on Military Affairs, to whom was referred Senate bill No. 87. A bill to prevent persons who have been, or may hereafter be enrolled, mustered or drafted into the military, naval or marine service of the United States, or of the State of Indiana, who have deserted, or shall hereafter desert the same, from exercising the elective franchise at any general or special election held in said State, and forever disfranchise such persons and,

Senate bill No. 112. A bill declaring what shall be evidence of desertion under the twenty-first section of the act of Congress entitled an act to amend the several acts in force heretofore passed; to provide for the enrolling and calling out the National forces and for other purposes, approved March 3, 1865, beg leave to return said bills, and recommend that they lie upon the table, and they have directed me to report the accompanying bill:

Senate bill No. 160. A bill to prevent person who have been, or may hereafter be enrolled, mustered or drafted in the military, naval or marine service of the United States, or of the State of Indiana,

and who have deserted, or shall hereafter desert the same, from exercising the elective franchise at any general or special election held in said State, and forever disfranchising such persons, and prescribing what evidence shall be *prima facie* in such cases under this act, and under the twenty-first section of the act of Congress entitled an act to amend the several acts in force hereafter passed; to provide for the enrolling and calling out of the National forces and for other purposes, approved March 3, 1865, as a substitute for said bills, Nos. 87 and 112, and recommend the passage of the same.

Which report was concurred in, and Senate bill 160, therein contained, was read a first time and passed to its second reading on to-morrow.

Mr. Oyler, Chairman of the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred House bill No. 24, a bill to amend the 9th section of an act entitled "An act for the election of Clerks of the Circuit Court, and prescribing some of their duties, approved June 7, 1852; to require the Clerk to deliver over all the books, papers, records and moneys in his hands, to his successor," have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, and recommend its passage.

Which report was concurred in.

Mr. Oyler, Chairman of the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred House bill No. 53, "A bill fixing the time of holding the Common Pleas Court in the county of Grant," have had the same under consideration, and have instructed me to report the same back to the Senate without amendment and recommend its passage.

Which report was concurred in.

Mr. Ward, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 136, a bill to amend section three and repeal section eighteen of an act entitled "An act to allow County Commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction and provide for the same to be free," approved March 6, 1865, have had the same under consideration, and are of the opinion that further legislation on the subject is inexpedient, and have directed me to report the bill back to the Senate and recommend that it lie on the table.

Which was concurred in.

Mr. Noyes, from the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 156, a bill regulating the filing of petitions or complaints in Commissioners Courts, have had the same under consideration, and have directed me to report it back to the Senate and recommend that it be indefinitely postponed.

Which report was, on motion by Mr. Noyes, laid on the table.

Mr. Lewis, from the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 138, a bill entitled "An act to amend section two of an act to discourage the keeping of useless and sheep-killing dogs, and to provide penalties for the violation of any of the provisions of said act by officers and others; and also repealing an act to license dogs, approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of 'An act for the protection of sheep,'" approved June 15, 1865, have had the same under consideration, and have instructed me to report the same back to the Senate and recommend that the same

lie on the table, as in their opinion further legislation on the subject is inexpedient.

Which report was concurred in.

Mr. Lewis, from the Committee on Country and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 47, "A bill to authorize the Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops," have had the same under consideration, and have instructed me to report the same back to the Senate and recommend that the same lie on the table.

Which report was concurred in.

Mr. Carson, from the Committee County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred House bill No. 11, a bill amending section ten of an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855, beg leave to report that they have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that the same lie upon the table, as a bill has already passed the Senate embracing the subject of the bill.

Which report was concurred in.

Mr. Gifford, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate Bill No. 41, a bill to authorize cities, towns, and townships, to subscribe for, purchase, and hold stock of turnpike, plank-road, and railroad

companies, to issue and negotiate bonds, and provide a sinking fund, and to create a sinking fund, and to levy a tax to pay interest, and providing when the act shall take effect and be in force, have had the same under consideration, and would recommend the following amendments :

After the word "railroad," in the eighth line of the first section, insert the words "slackwater navigation."

After the words "majority of," in the tenth line of said section, insert the following words: "Residents of such towns, city, or township, who shall also be the owners of at least one half of the assessed value of the taxable property of such town, city, or township."

Strike out the words "a majority," where it occurs in the seventh line of the third section, and in lieu thereof insert the words "two-thirds."

Add to the end of the fourth section the following words: And it is further provided that such bonds shall only be issued as the work of such company progresses in the county in which the bonds are to be issued, and shall never exceed the value of the work done in such county, which value shall be first ascertained by a competent engineer, and his estimate thereof filed with such municipal corporation," and when so amended recommend its passage.

On motion, the Senate proceeded to vote upon the amendments contained in the foregoing report.

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

Pending the consideration of the remaining amendments,

Mr. Cullen moved to recommit the report, bill and amendments to the Committee on Corporations.

Which was agreed to.

Mr. Huey, from the Committee on the Rights and Privileges of the Inhabitants of the State, made the following report:

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of the Inhabitants of the State, to whom was referred Senate bill No. 100, "a bill limiting the liability of inn-keepers," have had the same under consideration, and direct me to report the same back to the Senate and recommend its passage.

Which report was concurred in.

Mr. Gifford, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 94, introduced by Mr. Church, entitled "A bill to provide for the protection of fur bearing animals," have had the same under consideration, and have instructed me to report that they propose the following amendments :

Strike out all that have reference to muskrats, and also where one-half of the penalty is given to the informant, and amend so that it will go to the Common School fund, and when so amended they recommend its passage.

Which was concurred in, and the amendments adopted.

Mr. Terry, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 75, "A bill for the incorporation of slack water navigation," have had the same under consideration and direct me to report the same back to the Senate, recommending its passage.

Which was concurred in.

Mr. Milligan, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 147, introduced by Mr. Church, a bill to amend the fifth clause or subdivision of section seven repealing the seventh clause, and to amend section eleven of an act entitled an act regulating the granting of divorces, nullification of marriages, and decrees, and orders of courts incident thereto, approved 13, 1852, and to amend sections one and two of an act entitled an act to amend the sixth section, and the third clause of the seventh section, and the twelfth, fourteenth, nineteenth, and twentieth sections of an act regulating the granting of divorces, nullifying of marriages, and decrees, and orders of courts incident thereto, and to provide for opening up decrees of divorce in certain cases, approved May 13, 1853, approved March 4, 1859, have instructed me to return said bill, and recommend its passage.

Which was concurred in.

Mr. Bennett, Chairman of the Committee on Congressional Apportionments, made the following report :

MR. PRESIDENT :

The Committee on Congressional Apportionments, to whom was referred Senate bills Nos. 1, 5, 27, and 57, entitled "bills apportioning the State for Congressional purposes," beg leave to report that they have had all of said bills under consideration, and that they propose to amend Senate bill No. 1, by striking out from the same all after the second section thereof, and inserting the following amendments, to-wit :

SECTION 3. The counties of Posey, Vanderburgh, Warrick, Spencer, Perry, Pike, Gibson, Knox, and Daviess, shall constitute the first district.

SECTION 4. The counties of Dubois, Crawford, Harrison, Floyd, Clark, Scott, Washington, Orange, Martin, and Jackson, shall constitute the second district.

SECTION 5. The counties of Jefferson, Switzerland, Ohio, Dearbourn, Ripley, Jennings, Bartholomew, and Decatur, shall constitute the third district.

SECTION 6. The counties of Shelby, Rush, Franklin, Union, Fayette, Wayne, and Hancock, shall constitute the fourth district.

SECTION 7. The counties of Brown, Morgan, Johnson, Marion, Hendricks, Monroe, and Lawrence, shall constitute the fifth district.

SECTION 8. The counties of Sullivan, Greene, Owen, Clay, Vigo, Parke, Vermillion, and Putnam, shall constitute the sixth district.

SECTION 9. The counties of Fountain, Montgomery, Boone, Clinton, Tippecanoe, Warren, Benton, and Carroll, shall constitute the seventh district.

SECTION 10. The counties of Hamilton, Madison, Grant, Tipton, Howard, Miami, Cass, and Wabash, shall constitute the eighth district.

SECTION 11. The counties of Henry, Delaware, Randolph, Jay, Blackford, Wells, Adams, and Allen, shall constitute the ninth district.

SECTION 12. The counties of Kosciusko, Whitley, Huntington, Noble, Decalb, Steuben, Lagrange, and Elkhart, shall constitute the tenth district.

SECTION 13. The counties of White, Newton, Jasper, Pulaski, Fulton, Marshall, Starke, St. Joseph, Laporte, Porter, and Lake, shall constitute the eleventh district.

SECTION 14. That all laws, and parts of laws, inconsistent with this act, be, and are hereby, repealed.

And when so amended they recommend that the bill do pass. And they further report that they recommend that Senate bills Nos. 25, 27, and 57 lie upon the table.

Mr. Bennett moved to postpone the further consideration of the report, bills, and pending amendment, until Wednesday next, the 13th instant, at 2 o'clock P. M., and that they be made the Special Order for that hour.

Which was agreed to.

Mr. Terry, from the Committee on Temperance, made the following report :

MR. PRESIDENT :

The Committee on Temperance, to whom was referred Senate bill No. 134, a bill authorizing and empowering incorporated towns to regulate and license the sale of spirituous, vinous, malt and ohter intoxicating liquors, within their corporate limits, and prescribing penalties for the violation thereof, have had the same under consideration, and direct it to be reported back to the Senate with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill was indefinitely postponed.

Mr. Niles, Chairman of the Special Joint Committee on the House of Refuge, made the following report :

MR. PRESIDENT :

The Joint Committee of the Senate and House of Representatives, on the subject of a House of Refuge for Juvenile Offenders, who were authorized to report by bill or otherwise report the following :

Senate bill No. 161. "A bill to establish a House of Refuge for the correction and reformation of juvenile offenders," and unanimously recommend its passage.

Which report was concurred in, and Senate bill No. 161 therein contained was read a first time.

Mr. Oyler moved to refer the bill to the Committee on the Judiciary, and that three hundred copies, one hundred for the use of the Senate and two hundred for the use of the House, be printed.

Which was agreed to.

Mr. Cullen moved to take from the table Senate bill No. 139, a bill to carry into effect the benefits of an an act of Congress, approved July 5, 1852, entitled "An act donating public lands to the several States and Territories which may provide Colleges for the benefit of agriculture and the mechanic arts, and to establish and locate a College for the promotion of general science and the teaching

of such branches of learning as are related to agriculture, and the mechanic arts, and military tactics, and for the acceptance of donations for the benefit of such College," and the report of the Committee thereon.

The ayes and noes being demanded by Messrs. Cullen and Noyes,

Those who voted in the affirmative were,

Messrs. Bennett, Bonham, Cason, Church, Cullen, Humphreys, Mason, Milligan, Newlin, Oyler, Parrish, Reynolds, Richmond, Robinson, Stein, Ward, Wolcott, and Mr. President—18.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Brown, Carson, Cravens, English, Gifford, Hanna, Houghton, Huey, Huffman, Hyatt, Johnson, Lee, Lewis, Niles, Noyes, Reagan, Smith, Staggs, Taggart, Thompson, and Turner—24.

So the motion to take up the bill and the report of the committee thereon did not prevail.

Mr. Cullen moved to take from the table Senate bill No. 139 and the report of the committee thereon, and that they be made the special order for Tuesday next at half past 2 o'clock P. M.

The ayes and noes being demanded by Messrs. Noyes and Cullen,

Those who voted in the affirmative were,

Messrs. Bennett, Bonham, Cason, Church, Cullen, Johnson, Lee, Mason, Milligan, Newlin, Oyler, Reynolds, Richmond, Robinson, Stein, Ward, and Wolcott—17.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Brown, Carson, Cravens, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Lewis, Niles, Noyes, Reagan, Smith, Staggs, Taggart, Terry, Thompson, Turner, and Mr. President—25.

So the motion to take the bill and report from the table and make them a special order did not prevail.

Mr. Cullen moved to take the bill and report from the table and make them the special order for Wednesday next at 9 o'clock A. M.

The ayes and noes being demanded by Messrs. Cullen and Noyes.

Those who voted in the affirmative were,

Messrs. Bennett, Bonham, Brown, Cason, Church, Cullen, Johnson, Mason, Milligan, Newlin, Oyler, Reynolds, Richmond, Stein, Ward, and Mr. President—16.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Carson, Cravens, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Lee, Lewis, Niles, Noyes, Reagan, Robinson, Smith, Staggs, Taggart, Terry, Thompson, Turner, and Wolcott—26.

So the motion to take the bill and report from the table and make them a special order did not prevail.

Mr. Cullen moved to take up the bill and report and make them the special order for Thursday next at 2 o'clock P. M.

Which was not agreed to.

Mr. Cullen moved to take the bill and report from the table and make them the special order for Tuesday, Feb. 26, at 2 o'clock P. M.

The ayes and nays being demanded by Messrs. Cullen and Noyes,

Those who voted in the affirmative were,

Messrs. Barker, Bowman, Carson, Cravens, English, Gifford, Hanna, Houghton, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Niles, Smith, Staggs, Taggart, and Thompson—20.

Those who voted in the negative were,

Messrs. Armstrong, Bennett, Bonham, Cason, Church, Cullen, Huey, Mason, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Robinson, Stein, Terry, Ward, Wolcott, and Mr. President—21.

So the motion to make the bill and report the Special Order for Tuesday, February 26, at 2 o'clock P. M., did not prevail.

The hour having arrived by which Senate bill No. 84, a bill relative to the salaries of public officers, providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries.

Was made the Special Order, it was taken up.

On motion by Mr. Bennett the further consideration of the bill was postponed until Friday, February 15, at 2 o'clock P. M., and made the Special Order for that hour.

On motion by Mr. Oyler, Senate bill No. 80, "A bill providing for an organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties, and to repeal all laws in conflict therewith."

Was taken up and read a second time.

Mr. Cason moved to recommit the bill to the Committee on the Organization of Courts with instructions to report a bill, as a substitute, organizing a County Circuit Court.

Mr. Oyler moved to postpone the further consideration of the bill and the motion to recommit with instructions, and that they be made the Special Order for Tuesday next, at 9 o'clock A. M.

Which was agreed to.

On motion by Mr. Oyler, Senate bill No. 81 was taken up, a bill to establish a County Court in each county in the State, for the election of County Judges, fixing the jurisdiction of such Courts, the officers thereof, its powers and duties for the transfer of business in the Common Pleas Courts, and to repeal all laws conflicting with this act.

Was read a second time.

Mr. Cason moved to recommit the bill to the Committee on the Organization of Courts with instructions to report a bill, as a substitute, organizing a County Circuit Court.

Mr. Oyler moved to postpone the further consideration of the bill and the motion to recommit with instructions until Tuesday next, at 9 o'clock A. M., and that they be made the Special Order for that hour.

Which was agreed to.

On motion by Mr. Bennett, the order of business was suspended and the following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof to-wit :

Engrossed House bill No. 203. " A bill fixing the time of holding the Courts of Common Pleas in the fifth Judicial District, repealing all other laws on the same subject, and declaring when this act shall take effect."

And House bill No. 203, contained therein, was read a first time.

Mr. Bennett moved that the rules be suspended and the bill be read a second and third time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Stein, Taggart, Thompson, Turner, Ward, Wolcott, and Mr. President—37.

No Senator voting in the negative.

So the rule was suspended and the bill read a second and third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Milligan, Noyes, Oyler, Parrish, Reynolds, Reagan, Richmond, Robinson,

Smith, Staggs, Stein, Taggart, Thompson, Ward, and Mr. President—36.

Mr. Cravens voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Richmond, the order of business was suspended, and House bill No. 49, a bill creating the Seventeenth Judicial Circuit, and fixing the time of holding Courts therein.

Was taken up and read a first time.

Mr. Richmond moved to suspend the rules, and to read the bill a second and third time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Mason, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Stein, Taggart, Thompson, Wolcott, and Mr. President—37.

No Senator voting in the negative.

So the rules were suspended and the bill was read a second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Hyatt, Johnson, Lee, Lewis, Mason, Milligan, Noyes, Parrish, Reagan, Reynolds, Richmond, Robinson,

Smith, Staggs, Stein, Taggart, Thompson, Ward, Wolcott, and Mr. President—37.

Mr. Oyler voting the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Noyes, House bill No. 12, a bill to constitute the Fourteenth Judicial Circuit of Indiana, to fix the time of holding Courts in said circuit, and to repeal all laws in conflict therewith.

Was taken up and read a first time.

Mr. Noyes moved to recommit the bill to a Special Committee, to consist of the Senators from the district named in the bill.

Which was agreed to, and the President appointed Messrs. Noyes, Lewis, Huey, Carson, Parrish, and Smith, said Select Committee.

On motion by Mr. Noyes, House bill No. 83, a bill for the protection of wild game, defining the time for which the same may be taken or killed, and declaring the penalty for the violation of this act, repealing all laws inconsistent herewith, and declaring an emergency.

Was read a first time, and,

On motion by Mr. Cravens, referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Bonham asked and obtained leave of absence for Mr. Parrish.

Mr. Bennett asked and obtained leave of absence for Mr. Lee.

Mr. Robinson asked and obtained leave of absence for Mr. Oyler.

Mr. Reagan offered the following resolution :

Resolved, That the Committee on Temperance be instructed to report to the Senate at least five days before the close of the present session, the number of petitions on temperance in their possession,

the names of the counties from which said petitions came, together with the whole number of petitioners thereto attached.

Which was adopted.

Mr. Milligan offered the following resolution :

Resolved, That when the Senate adjourn, it adjourn till two o'clock on to-morrow.

Which was not agreed to.

Mr. Parrish moved to refer the communication of the Adjutant General to the General Assembly, laid before the Senate on yesterday, to the Committee on Military Affairs.

Which was agreed to.

A message from the House, by Mr. Nixon, Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following concurrent Senate Resolution :

Resolved by the Senate, the House concurring, That the draft made by the Governor for \$1,557 54 on the "soldiers' relief fund," to pay the current expenses of the Soldiers' Home for the month of December, 1866, be, and the same is hereby approved, and that the further sum of \$2,000 be, and the same is hereby authorized to be drawn from the same fund to pay the expenses of the Home for January, and until provision can be made for the Institution by the General Assembly.

On motion by Mr. Milligan, the Senate adjourned.

SATURDAY MORNING, 9 o'clock, }
February 9, 1867. }

The Senate met:

On motion by Mr. Gifford, the reading of the Journal was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Cravens presented a memorial from the friends of Honover College, asking that the Congressional fund, for the establishment of an Agricultural College, be divided between the existing institutions of learning in this State.

Which, on motion by Mr. Cravens, was referred to the Special Joint Committee on the Agricultural College.

RESOLUTIONS.

Mr. Bonham offered the following resolution :

Resolved, That when the Senate adjourn, it adjourn to meet on Monday next at 2 o'clock P. M.

Which resolution was adopted.

Mr. Humphreys offered the following resolution :

Resolved, That John Hunt, who served the first fifteen days of the present session as a Senator from the District composed of the counties of Madison and Grant, be allowed the sum of five dollars per day for such service, together with the further sum of eighteen dollars mileage.

Which was, on motion by Mr. Humphreys, referred to the Committee on Claims.

JOINT RESOLUTIONS.

Mr. Bonham introduced

Joint resolution No. 6. A joint Resolution instructing our Senators in Congress to use their influence to prevent the confirmation of

persons nominated to office to fill vacancies occasioned by the removal of persons, for political purposes.

Which was read a first time, and referred to the Committee on Federal Relations.

BILLS INTRODUCED.

Mr. Thompson introduced

Senate bill No. 162. A bill to establish a college for such branches of knowledge as are connected with agriculture, and the mechanic arts, and to carry out the objects of the act of Congress in making donations of land for such purposes.

Which was read a first time, and referred to the Special Joint Committee on the Agricultural College.

Mr. Cravens introduced

Senate bill No. 163. A bill to amend section 157 of an act to provide for a general system of common schools, the officers thereof, and their respective powers, duties, and matters properly connected therewith, and prescribing their fees for certain offices therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed.

Which was read a first time, and referred to the Committee on Education.

Mr. Cravens introduced

Senate bill No. 164. A bill to provide for the removal from office, by death, resignation or inability, of both Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Regan introduced

Senate bill No. 165. A bill to amend an act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto, approved December 21, 1858.

Which was read a first time, and referred to the Committee on County and Township Business.

Mr. Stein introduced

Senate bill No. 166. A bill to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State.

Which was read a first time, and referred to the Committee on Legislative Apportionment.

Mr. Ward introduced

Senate bill No. 167. A bill to prohibit selling and buying intoxicating liquors to be used as a beverage, and prescribing penalties for violations thereof.

Which was read a first time, and referred to the Committee on Temperance.

Mr. Taggart introduced

Senate bill No. 168. A bill to provide for the prosecution of bastardy in certain cases.

Which was read a first time, and referred to the Committee on County and Township Business.

Mr. Reagan introduced

Senate bill No. 169. A bill to provide for the official visitations and inspections of the prisons and benevolent institutions of the State.

Which was read a first time, and referred to the Committee on Benevolent Institutions.

Mr. Huffman introduced

Senate bill No. 170. A bill to amend section seventy of an act entitled "an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers, and duties in civil cases," approved June 9, 1852.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Wolcott introduced

Senate bill No. 171. A bill fixing the duration of the terms of the

Circuit Court, in the county of Warren, and repealing all laws in conflict with its provisions.

Was read a first time, and referred to a Special Committee, composed of the Senators from the Judicial District in which the county of Warren is situated.

The President appointed Messrs. Wolcott, Stein, and Newlin said Special Committee.

Mr. Wolcott introduced

Senate bill No. 172. A bill to amend section one of an act entitled "an act concerning enclosures, tresspassing animals, and partition fences, approved June 4, 1852.

Which was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Stein introduced

Senate bill No. 173. A bill to repeal an act entitled "an act providing for the election, and prescribing certain duties of County Surveyors," approved June 17, 1852, and to provide for the election of County Surveyors, prescribing their powers and duties, and the manner of performing the same.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Huey introduced

Senate bill No. 174. A bill for the relief of Peter Wells and Bennoni Wells.

Which was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Richmond introduced

Senate bill No. 175. A bill for the incorporation of companies; for the purpose of enacting and maintaining buildings to be used and occupied in whole, or in part for Masonic meetings purpose, or in any way for the accommodation or convenience of Masonic bodies, or Lodges.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Stein introduced

Senate bill No. 176, a bill requiring railroad companies to erect signs or notices at all highway crossings, and providing penalties for neglect thereof.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Richmond introduced

Senate bill No. 177, a bill to amend section eight of an act entitled an act to amend the act entitled "an act authorizing the construction of plank, macadamized and gravel roads, and to empower the same to make sale of a portion of their roads.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Hanna introduced

Senate bill No. 178, a bill to regulate the assessment and collection of taxes, on the Capital Stock owned in Banks and Banking Associations doing business in the State of Indiana.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Hanna introduced

Senate bill No. 179, "a bill authorizing Clerks of the Circuit and Common Pleas Courts to try and determine suits of *habeas corpus*, issue writs of injunction and temporary restraining orders, and defining additional duties thereof.

Which was read a first time, and referred to the Committee on the Judiciary.

ORDERS OF THE DAY.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bills thereof, to-wit :

Engrossed House bill No. 144, "a bill to prevent the spread of disease among sheep."

Engrossed House bill No. 175, "a bill to amend an act entitled an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9th, 1852.

Engrossed House bill No. 185, "a bill to amend the forty-fifth section of an act entitled "an act to provide for the opening, vacating and change of highways," approved June 17th, 1852.

Engrossed House bill No. 189, "a bill requiring all persons who plat towns, or additions to any town or city in this State, to have the lands embraced in such addition or plats transferred for taxation by the Auditor of the county, and providing for taxing the same."

House bill No. 144, contained in the foregoing message,

Was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

House bill No. 175, contained in the foregoing message,

Was read a first time, and referred to the Committee on the Organization of Courts.

House bill No. 185, contained in the foregoing message,

Was read a first time, and referred to the Committee on Roads.

House bill No. 189, contained in the foregoing message,

Was read a first time, and referred to the Committee on Corporations.

Mr. Oyler asked and obtained leave of absence for Mr. Cason.

Mr. Bennett asked and obtained leave of absence for Mr. Niles.

SENATE BILLS ON SECOND READING.

Senate bill No. 100. A bill limiting the liability of Inn Keepers,

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 144. A bill to provide for impartially empanneling jurors in certain cases.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 129. A bill to amend an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleadings and practice, without distinction between law and equity, approved June 18, 1852.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 86. A bill for an act supplemental to an act entitled an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological Institutions, and Missionary Boards, approved February 28, 1855,

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 147. A bill to amend the fifth clause, or subdivision of section seven, repealing the seventh clause, and to amend section eleven of an act entitled an act regulating the granting of divorces, nullification of marriages and decrees and orders of court incident thereto, approved May 13, 1852, and to amend sections one and two of an act entitled act to amend the sixth section, and the third clause of the seventh section, and the twelfth, fourteenth, nineteenth, and twentieth sections of an act entitled an act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto, and to provide for opening up decrees of divorces in certain cases, approved March 4, 1859.

Was read a second time, and,

On motion by Mr. Cullen, laid on the table.

Senate bill No. 89. A bill providing for the incorporation of Steam Packet Companies.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

On Motion by Mr. Turner, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bennett, Bowman, Brown, Carson, Church, Cullen, English, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Taggart, Terry, Thompson, Turner, Ward, and Wolcott—35.

Leave of absence was granted to Mr. Gifford.

Leave of absence was granted to Mr. Mason for one week.

Mr. Cullen asked and obtained leave of absence for Messrs. Cumback and Cravens.

Mr. Turner moved that absentees be sent for.

Which was agreed to.

Mr. Wolcott moved to grant leave of absence to Mr. Stein.

Which was not agreed to.

Mr. Cullen moved that the further call of the Senate be dispensed with.

The ayes and noes being demanded by Messrs. Hanna and Oyler,

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Brown, Church, Cullen, Milligan, Noyes, Reagan, Reynolds, and Wolcott—10.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Hanna, Houghton, Huey, Huffman, Humphreys, Johnson, Lewis, Mason, Newlin, Oyler, Richmond, Robinson, Sherrod, Smith, Staggs, Taggart, Terry, Thompson, Turner, and Ward—24.

So the further call of the Senate was not dispensed with.

Mr. Terry moved to dispense with the further call of the Senate.

The ayes and noes being demanded by Messrs. Turner and Oyler,

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Brown, Church, Houghton, Hyatt, Milligan, Terry, and Wolcott—9.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Hanna, Huey, Huffman, Humphreys, Johnson, Lewis, Mason, Newlin, Noyes, Oyler, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Taggart, Thompson, Turner, and Ward—25.

So the suspension of the further call of the Senate was not agreed to.

Mr. Church moved to adjourn.

The ayes and noes being demanded by ten Senators.

Those who voted in the affirmative were,

Messrs. Bennett, Brown, Church, Howk, Hyatt, Reagan, Reynolds, Terry, Thompson, Ward, and Wolcott—11.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Carson, English, Hanna, Huey, Huffman, Humphreys, Johnson, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Richmond, Robinson, Sherrod, Smith, Staggs, Taggart, and Turner—23.

So the motion to adjourn was not agreed to.

Messrs. Bonham and Stein were brought in by the Doorkeeper of the Senate under arrest.

Mr. Bonham stated the cause of his absence, and, on motion, was excused.

Mr. Stein stated the cause of his absence, and, on motion by Mr. Mason, was excused.

On motion by Mr. Oyler, the further call of the Senate was dispensed with.

Senate bill No. 160. A bill to prevent persons who have been, or may hereafter be enrolled, mustered, or drafted into the military, naval, or marine service of the United States, or of the State of Indiana, and who have deserted or shall hereafter desert the same, from exercising the elective franchise at any general or special election, held in said State, and forever disfranchising such person, and prescribing what evidence shall be *prima facie* in such cases under this act, and under the twenty-first section of the act of Congress entitled "an act to amend the several acts, in force heretofore passed, to provide for the enrolling and calling out of the national forces, and for other purposes," approved March 3, 1865.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 94. A bill to provide for the protection of fur bearing animals.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

On motion by Mr. Robinson, the Senate adjourned.

MONDAY AFTERNOON, 2 o'clock, }
February 11, 1867. }

The Senate met.

On motion by Mr. Johnson, the reading of the Journal was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Richmond presented a petition from sundry citizens, praying the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Thompson presented a petition on the subject of the Agricultural College from the mechanics and laboring men of Marion county.

Mr. Thompson presented a similar petition from sundry citizens of Marion county.

On motion by Mr. Thompson, the petitions were referred to the Special Joint Committee on Agricultural College.

Mr. Thompson presented a petition from sundry citizens of the State, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Bonham presented a petition from sundry citizens of the State, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Noyes presented a petition from sundry citizens of Noble county, praying for the passage of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Terry presented a petition asking the passage of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Lewis presented a petition from sundry citizens of the State, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Stein presented a petition praying for the passage of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Ward presented a petition from sundry citizens of the State asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Robinson presented a petition asking for the passage of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Reagan presented a petition asking the passage of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Carson presented a petition from sundry citizens asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

REPORTS FROM STANDING COMMITTEES.

Mr. Carson, from the Committee on Corporations made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No, 41, "a bill to authorize cities, towns, and townships to subscribe for, purchase and hold stock of turnpike, plank road and railroad companies; to issue and regulate bonds and provide a sinking fund, and to levy a tax to pay interest and to create a sinking fund and providing when the act shall take effect and be in force," beg leave to report that they have had the same under consideration, and have directed me to report the same back to the Senate with the following amendments, and when so amended, recommend the passage of the bill :

Strike out all after the enacting clause and insert in lieu thereof the following, to-wit:

That any incorporated town or township in this State shall have power to subscribe to the stock of any incorporated turnpike, plank road, railroad, railway, or slack water navigation company, within this State, running into or through such town or township, to make donations in money or the bonds of such town or township to aid in the construction of such roads and slack water navigations only on a petition of a majority of the resident freeholders of such town or township: *Provided*, That said donations shall not be payable either in money or bonds until the road in aid of which it is so subscribed or given shall be so far completed as to admit the running of trains from the point of commencement to such point or points as are designated in the petition in case of a railroad or railway, and the passage of wagons in case of other roads, and in case of slack water navigation the passage of boats; and when so far completed it shall be obligatory on the Trustees of such town and the Trustee of such township to contract and do whatever may be necessary to carry into effect the substantial meaning of such petitioner; and the obligations herein enjoined may be enforced in the Courts of this State having competent jurisdiction, on the application of any signer of such petition, or President of the Company in behalf of which such donation may have been made at any time after said petition or petitions may have been presented to such Trustees or Trustee, and for any debt or liability incurred in pursuance of the provisions of this act, and in carrying out the intentions of the petitioners aforesaid, the Trustees of such town and the Trustee of such township shall assess and levy an amount of tax sufficient to pay the annual interest, with an addition of not less than five cents on the hundred dollars of taxable property in such town or township, which shall be collected as other taxes are collected for town and township purposes, and for successive years thereafter a like tax shall be levied until an amount sufficient to liquidate the debt and interest incurred under the provisions of this act shall be collected: *Provided*, The said sum of five cents on the hundred dollars shall create a sinking fund for the liquidation of the principal thereof, which fund, with all the increase thereof, shall be applied to the payment of such debt and to no other purpose.

Sec. 2. Whereas an emergency exists for the immediate taking effect of this act, therefore the same shall take effect and be in force from and after its passage.

Amend the title of the bill so as to read as follows, to-wit: "An act to authorize incorporated towns and townships to subscribe for, purchase and hold stocks, and make donations to turnpike, plank road, railroad, railway, and slack water navigation companies, and matters properly connected therewith, and declaring an emergency.

Which report was concurred in, and the amendments adopted.

Mr. Huffman, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The committee, to whom the claim of Martin Igo was referred, beg leave to report that they have had the same under advisement, and direct me to report said claim back to the Senate, and recommend the same to be indefinitely postponed.

Which report was concurred in.

Mr. Richmond, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate bill No. 168, a bill to provide for prosecution of bastardy, in certain cases, have had the same under consideration, and direct me to report the same back to the Senate, without amendment, and recommend its passage.

Which was concurred in.

Mr. Lewis, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate bill No. 165, a bill to amend an act to provide for

the appraisement of real estate, and prescribing the duties of officers in relation thereto, approved December 21, 1858, have had the same under consideration, and have directed me to report the same back to the Senate, recommending its passage.

Which was concurred in.

Mr. Stein asked and obtained leave of absence for Mr. Turner.

Mr. Hanna asked and obtained leave of absence for Mr. Howk.

Mr. Milligan, from the Committee on the Rights and Privileges of the Inhabitants of the State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 4, introduced by Mr. Cullen, a bill to establish a home for the maintenance of sick and disabled Indiana soldiers, have had the same under consideration, and have directed me to report the same back with the following amendments :

Amend by striking out the words "and matron," in line forty-six of section four. Strike out the words "the matron four hundred dollars per annum," in lines 49 and 50 of section four.

Strike out the word "two," in line 85 of section six, and insert in lieu thereof "one ;" and add, after the word "hundred," in same line, the words "and ten." Add, after the word acres, in same line, the words "the same to include the present site of said Home."

Strike out all after the word "necessitous," in line 114 of section seven, to the word "admitted inclusive," in line 118.

Strike out all of lines 128, 129, 130, 131, 132, and 133, in section eight.

Strike out the word "fifty," in line 179 of section twelve, and insert in lieu thereof the word "twenty-five."

Strike out the words "fifteen hundred dollars at any one time," in lines 189 and 190 of section thirteen, and insert in lieu thereof "one dollar and fifty cents per week for each and every inmate and person connected with said Home."

Add, after section thirteen, the following new sections :

SEC. 14. That every applicant on admission to said Home shall, upon presentation by the Superintendent, sign an agreement binding said applicant to sign any power of attorney, and all other necessary papers, so as to authorize said Trustees to draw and use for the benefit of the Home, the full amount of any pension said applicant may be entitled to from the United States Government during the time he shall be an inmate of said Home.

SEC. 15. The Trustees shall be entitled to the sum of four dollars per day for each and every day necessarily employed in attending to their duties ; *provided* that said Trustees shall draw no pay for any number of days exceeding thirty days in any one year.

SEC. 16. It shall be unlawful for any person to sell or give away, to any inmate of said Home, unless authorized so to do by the Superintendent, any spiritous, vinous, or malt liquors, and any person so offending shall be fined by any court of competent jurisdiction, the sum of two hundred dollars, and imprisoned in the county jail not exceeding thirty days.

After being so amended, said Committee recommend the passage of said bill.

Mr. Cullen moved to postpone the further consideration of the report, bill, and pending amendments, until to-morrow at 10 o'clock A. M., and that they be made the Special Order for that hour.

Which was agreed to.

MESSAGES FROM THE HOUSE.

A message from the House by Mr. Nixon, Clerk thereof :

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed the following enrolled act of the House, to-wit :

Enrolled act of the House of Representatives No. 49, entitled "an act creating the 17th Judicial Circuit, and fixing the times of holding Courts therein."

SPECIAL ORDER.

The hour having arrived the Senate resolved itself into a Committee of the Whole Senate, with Senate bill No. 46, "An act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties therefor," under consideration, Mr. Cravens in the Chair.

After spending some time in the consideration thereof, the Committee rose, and, through their Chairman, made the following report:

MR. PRESIDENT:

The Committee of the Whole Senate, to whom was referred Senate bill No. 46, have had the same under consideration, and have directed me to report progress and to recommend the adoption of the following amendments, and ask to be discharged from the further consideration of the subject:

1. Amend by striking out twenty in the seventh line of section four and inserting "by at least a majority" of the legal voters; strike out the word "freeholder" in the twelfth line, and insert in lieu thereof "legal voters."

2. Amend in the fourteenth line by inserting after the letter "a" the words, "man of good moral character," and strike out all after the word "license" in said line.

3. Amend section five by striking out the word "but," and insert after the word applicant in said line the following, "until said applicant shall have resided in the township wherein he proposes to sell intoxicating liquors at least one year."

4. Amend section seven by adding thereto the words, "to be recovered in the name of the Township Trustee, on the information of any person."

5. Amend section nine by inserting after the word "years" in the third line the words, "except upon the order of his parent or guardian."

6. And in the fifth line of said section strike out all after the word "held."

7. Amend section ten by adding thereto the words, "on a second conviction."

8. Amend further, by adding thereto the words, "and be imprisoned in the county jail for any determinate period, not exceeding thirty days."

9. Amend section eleven by striking out the word "knowingly" in the first line.

10. Amend further, by inserting after the word "dollars" in the sixth line, the following, "and be imprisoned in the county jail for any determinate period, not exceeding thirty days."

11. Amend section twelve by inserting the word "shall," in the sixth line, where the word "may" occurs.

12. Amend section thirteen by adding thereto the words, "and upon a second conviction shall forfeit his license."

13. Amend section sixteen by inserting in line five the word "shall," where the word "may" occurs.

14. Amend section seventeen by inserting in the fifth line the word "shall," where the word "may" occurs.

15. Amend section twenty-five by striking out the word "and," after the word "physical" in the third line, and insert after the word "mental" the words "and moral."

Mr. Stein moved that the bill and the amendments reported by the Committee of the Whole Senate, be laid on the table, and made the special order for Thursday next at 3 o'clock P. M.

Mr. Hanna moved to indefinitely postpone the bill and amendments.

Pending which, Mr. Cullen moved a call of the Senate.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bonham, Bowman, Brown, Cason,

Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Lewis, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—39.

During the call of the Senate, Mr. Oyler asked and obtained leave of absence for Mr. Thompson.

On motion by Mr. Cullen, the further call of the Senate was dispensed with.

The question then being, shall the bill and amendments be indefinitely postponed?

The ayes and noes being demanded by Messrs. Hanna and Cullen,

Those who voted in the affirmative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hyatt, Newlin, Sherrod, Smith, Staggs, and Turner—15.

Those who voted in the negative were,

Messrs. Armstrong, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Johnson, Lewis, Milligan, Noyes, Oyler, Reagan, Reynolds, Richmond, Robinson, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—24.

So the motion did not prevail.

The question recurring on the motion of Mr. Stein, to lay on the table and make the bill and amendments the special order for Thursday next at 3 P. M.

It was agreed to.

On motion by Mr. Cullen, the order of business was suspended and, House bill No. 2. A bill to amend an act entitled an act to incorporate the Preacher's Aid Society, approved February 12, 1841, and to authorize and require said incorporation to divide and pay over in

equal shares to each Preacher's Aid Society, in the several conferences in Indiana, the fund in said incorporation by the first of January, 1868.

Was taken up, read a second time, and passed to its third reading on to-morrow.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to inform the Senate that he has signed Enrolled Act of the House No. 203, entitled an act to fix the time of holding the Courts of Common Pleas in the Fifth Judicial District, repealing all other laws on the same subject, and declaring when this act shall take effect.

RESOLUTIONS.

Mr. Wolcott offered the following resolution:

Resolved, That a committee of three be appointed by the President of the Senate to examine the unpublished documents, accompanying the Governor's Message, now before the General Assembly, and to report what, if any, of such documents should be published.

Which resolution was adopted, and the President appointed Messrs. Wolcott, Hanná, and Milligan said committee.

BILLS INTRODUCED.

Mr. Hanna introduced

Senate bill No. 180. A bill to amend the 13th section of an act for the government of the Insane Hospital for the Insane, and the care of the Insane of Indiana.

Which was read a first time, and referred to the Committee on Benevolent Institutions.

Mr. Huffman introduced

Senate bill No. 181. A bill to amend section 27 of an act to provide for a general system of common schools, the officers thereof, and

their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named; and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith; providing penalties therein prescribed, approved March 6, 1865.

Which was read a first time, and referred to the Committee on Education.

BILLS ON SECOND READING.

Senate bill No. 54. A bill authorizing the assessment of all lands within one and one half miles of the terminus of any plank, macadamized or gravel road, organized under, and pursuant to an act of the General Assembly of the State of Indiana, entitled an act authorizing the construction of plank, macadamized and gravel roads, approved May 12, 1852, when the subscription to such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same, and the collection of such assessment, provided the lands are situated within the county in which such road is located.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 76. A bill to increase the salary of the Prosecuting Attorneys of the Criminal Circuit Courts, and providing the manner for the payment of the same.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 92. A bill to amend section twenty-two of an act entitled "An act for the incorporation of towns, defining their powers, and providing for the election of officers thereof and declaring their duties," approved June 11, 1852.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 159. A bill providing for the appointment of a night watchman for the State House, to fix the salary of the same, and declaring an emergency.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 75. A bill for the incorporation of slack water navigation companies, and defining their powers and duties.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 160. A bill to prevent persons who have been or may hereafter be enrolled, mustered, or drafted, into the military, naval, or marine service of the United States, or of the State of Indiana, and who have deserted or shall hereafter desert the same, from exercising the elective franchise, at any general or special election, held in said State, and forever disfranchising such person, and prescribing what evidence shall be *prima facie* in such cases under this act, and under the twenty-first section of the act of Congress entitled "An act to amend the several acts, in force heretofore passed, to provide for the enrolling and calling out of the National forces, and for other purposes," approved March 3, 1865.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

HOUSE BILLS ON SECOND READING.

House bill No. 8. A bill to amend the ninety-ninth section of an act entitled "An act to revise, simplify and abridge, the rules, practice, pleadings and forms, in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a second time, and passed to a third reading on to-morrow.

On motion by Mr. Gifford, the Senate adjourned.

TUESDAY MORNING, 9 o'CLOCK, }
February 12, 1867. }

The Senate met.

The Journal of yesterday was read.

PETITIONS, MEMORIALS AND REMONSTRANCES.

The President presented a petition from sundry citizens of the State, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Hanna presented a petition from the citizens of Sullivan county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Thompson presented a petition from five hundred and two citizens of Marion county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Cravens presented a petition from sundry citizens of Clark county on the subject of Temperance.

Which was referred to the Committee on Temperance.

Mr. Noyes presented a petition from sundry citizens of Noble county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Terry presented a petition from sundry citizens of Miami county, asking the enactment of a law prohibiting the traffic in intoxicating drinks as a beverage in the State.

Which was referred to the Committee on Temperance.

Mr. Cravens presented a petition from sundry citizens of Scott

county, asking that in apportioning the State for Congressional purposes, that Scott county be put in the Third District.

Which was referred to the Committee on Congressional Apportionment.

SPECIAL ORDER.

The hour having arrived, Senate bill No. 80, a bill providing for an organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties, and to repeal all laws in conflict therewith, and,

Senate bill No. 81, a bill to establish a County Court in each county in the State, for the election of County Judges, fixing the jurisdiction of such Courts, the officers thereof, its powers and duties, for the transfer of business in the Common Pleas Courts, and to repeal all laws conflicting with this act.

And the motion of Mr. Cason to recommit the bills with instructions.

Were taken up.

The question being on the motion to recommit with instructions.

Mr. Carson moved that the bills and pending motion be indefinitely postponed.

Mr. Oyler moved that the motion to indefinitely postpone be laid on the table.

The ayes and noes being demanded by Messrs. Oyler and Church,

Those who voted in the affirmative were,

Messrs. Armstrong, Bonham, Cason, Church, Cullen, Houghton, Hyatt, Léwis, Noyes, Oyler, Reagan, Reynolds, Rice, and Robinson.
—14.

Those who voted in the negative were,

Messrs. Barker, Bowman, Brown, Carson, Cravens, English, Gifford, Hanna, Huey, Huffman, Humphreys, Johnson, Milligan, New-

lin, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Ward, and Mr. President—24.

So the motion to lay the motion to indefinitely postpone on the table did not prevail.

The question recurring on the motion to indefinitely postpone,

The ayes and noes were demanded by Messrs. Oyler and Cullen.

Those who voted in the affirmative were,

Messrs. Barker, Bowman, Brown, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Johnson, Newlin, Sherrod, Smith, Staggs Stein, Taggart, and Ward—18.

Those who voted in the negative were,

Messrs. Armstrong, Bonham, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Lewis, Milligan, Noyes, Oyler, Reagan, Reynolds, Rice, Robinson, Terry, Thompson, and Mr. President—19.

So the motion to indefinitely postpone was not agreed to.

The question then being, shall the bills be recommitted with instructions?

The ayes and noes were demanded by Messrs. Oyler and Cullen.

Those who voted in the affirmative were,

Messrs. Armstrong, Brown, Cason, Cullen, Houghton, Hyatt, Milligan, Noyes, Reagan, Rice, Richmond, and Mr. President—12.

Those who voted in the negative were,

Messrs. Barker, Bonham, Bowman, Carson, Church, Cravens, Gifford, Hanna, Huey, Huffman, Johnson, Lewis, Newlin, Oyler, Reynolds, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, and Ward—24.

So the motion to recommit was not agreed to.

On motion by Mr. Oyler, Senate bills No. 80 and 81 were laid on the table.

SPECIAL ORDER.

The hour having arrived, the Special Order, being Senate bill No. 4, "a bill to establish a home for the maintainance of sick and disabled Indiana soldiers," and the pending amendments thereto, were taken up.

The Senate proceeded with the consideration of the pending amendments *seriatim*, the amendment to section four being first in order.

Pending which,

Mr. Hanna moved to recommit the bill and pending amendments to the Committee on the Rights and Privileges of the Inhabitants of this State, with the following instructions :

Strike out from the title of the bill all after the words "an act," and insert in lieu thereof "to provide for the relief of disabled soldiers."

Also, to insert in lieu of the body of the bill : "The County Commissioners of each county shall be required to pay out of the County Treasury of any county, where any disabled soldier may reside, the sum of one hundred dollars, upon satisfactory proof being made that such disability was incurred by the accident of honorable service in the army or navy of the United States."

Pending the motion to recommit with instructions,

On motion by Mr. Oyler, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

The Senate resumed the consideration of the Special Order pending at adjournment.

The question being on the motion of Mr. Hanna to recommit with instructions,

Mr. Cullen moved to lay the motion to recommit with instructions on the table.

The ayes and noes being demanded by Messrs. Cullen and Hanna,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cullen, Houghton, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Wolcott, and Mr. President—25.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Huey, Huffman, Humphreys, Lee, Newlin, Smith, Stagg, and Taggart—14.

So the motion to recommit with instruction, was laid on the table.

The question then being on the adoption of the amendment to section 4, proposed by the committee.

Mr. Cullen moved to lay the amendment on the table.

The ayes and noes being demanded by Messrs. Cullen and Richmond.

Those who vote in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cravens, Cullen, Hyatt, Lewis, Noyes, Oyler, Reagan, Richmond, Robinson, Stein, Thompson, Ward, Walcott, and Mr. President—19.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, Church, English, Gifford, Houghton, Huey, Huffman, Humphreys, Johnson, Lee, Milligan, Newlin, Niles, Reynolds, Rice, Smith, Staggs, Taggart and Terry—21.

So the amendment was not laid on the table.

Mr. Carson moved to reconsider the vote just taken,

Which was agreed to.

The question recurring on the motion to lay the amendment on the table,

The ayes and noes were demanded by Messrs. Cullen and Cravens.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Cravens, Cullen, English, Hyatt, Lewis, Niles, Noyes, Oyler, Reagan, Reynolds, Richmond, Robinson, Sherrod, Stein, Thompson, Ward, Wolcott, and Mr. President—23.

Those who voted in the negative were,

Messrs. Barker, Church, Gifford, Houghton, Huey, Huffman, Humphreys, Johnson, Lee, Milligan, Rice, Smith, Staggs, Taggart, and Terry—15.

So the amendment was laid on the table.

The question being on the adoption of the second amendment proposed by the committee.

Mr. Cullen moved to lay it on the table.

Which was agreed to.

The third amendment was adopted.

The fourth amendment was adopted.

The question then being on the adoption of the fifth amendment proposed by the committee.

The ayes and noes were demanded by Messrs. Noyes and Cullen.

Those who voted in the affirmative were,

Messrs. Barker, Cravens, Hyatt, Milligan, Noyes, Reynolds, Sherrod, Staggs, Taggart, and Terry—10.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Carson, Church, Cullen, English, Gifford, Huey, Huffman, Humphreys, Johnson, Lee, Lewis, Newlin, Niles, Oyler, Reagan, Rice, Richmond, Robinson, Smith, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—29.

So the amendment was not adopted.

The question being, shall the sixth amendment proposed by the committee be adopted?

Mr. Richmond moved to postpone the further consideration of the bill and pending amendments until to-morrow morning at 9 o'clock A. M., and that they be made the special order for that hour.

The ayes and noes were demanded by Messrs. Cullen and Thompson.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Carson, English, Milligan, Noyes, Reynolds, Richmond, and Sherrod—11.

Those who voted in the negative were,

Messrs. Bennett, Church, Cravens, Cullen, Gifford, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Newlin, Niles, Oyler, Reagan, Rice, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—28.

So the motion to postpone did not prevail.

The question recurring on the adoption of the sixth amendment proposed by the committee.

Mr. Robinson moved to lay the amendment on the table.

The President put the question, and declared that the motion had prevailed.

Mr. Bennett then demanded a division of the House.

The President decided that the demand was not in order.

Messrs. Stein and Bennett appealed from the decision of the Chair as follows, to-wit:

“The President having decided that under the fifth paragraph of the standing rules of the Senate, after a vote has been taken and the result is definitely announced by the President it is not in order for any Senator to call for a division of the Senate. The Senator from Tippecanoes and the Senator from Union appeal from this decision and ask the judgment of the Senate.”

The question being, shall the decision of the President stand as the decision of the Senate?

The ayes and noes were demanded by Messrs. Stein and Bennett.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Brown, Cason, Carson, Church, Cullen, English, Gifford, Hanna, Huey, Huffman, Hyatt, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Oyler, Reagan, Reynolds, Rice, Robinson, Taggart, Terry, Thompson, and Ward—29.

Those who voted in the negative were,

Messrs. Barker, Bennett, Cravens, Houghton, Noyes, Richmond, Sherrod, Smith, Staggs, Stein, Turner, and Wolcott—12.

So the decision of the President was sustained by the Senate.

The seventh amendment reported by the Committee was adopted.

The eighth amendment was adopted.

The ninth amendment proposed by the Committee, being additional section fourteen, was adopted.

The tenth amendment, being additional section fifteen, was adopted.

The eleventh amendment, being additional section sixteen, was adopted.

The report of the Committee was then concurred in.

Mr. Richmond moved to further amend the bill as follows:

Amend by striking out "four" where it occurs before "hundred" in lines forty-nine and fifty, section four, and insert "three," and by providing that the matron shall be the widow or the mother of a soldier.

Mr. Turner moved to amend the amendment by inserting that the salary of the matron shall be six hundred dollars.

The question being on the adoption of the amendment to the amendment.

Mr. Bennett moved to lay the amendment to the amendment on the table.

The ayes and noes being demanded by Messrs. Hanna and Bennett,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Cason, Cravens, Cullen, English, Gifford, Huffman, Lee, Lewis, Milligan, Niles, Oyler, Reynolds, Sherrod, Taggart, Thompson, Ward, and Wolcott—20.

Those who voted in the negative were,

Messrs. Barker, Bonham, Brown, Carson, Church, Houghton, Huey, Humphreys, Hyatt, Johnson, Newlin, Noyes, Reagan, Rice, Richmond, Robinson, Smith, Staggs, Stein, Terry, and Turner—21.

So the motion to lay on the table did not prevail.

The question recurring on the adoption of the amendment to the amendment.

The ayes and noes were demanded by Messrs. Turner and Hanna.

Those who voted in the affirmative were,

Messrs. Barker, Houghton, Huffman, Humphreys, Hyatt, Johnson, Lee, Newlin, Reynolds, Robinson, Smith, Stein, Thompson, and Turner—14.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Carson, Church, Cravens, Cullen, English, Gifford, Huey, Milligan, Niles, Noyes, Oyler, Reagan, Rice, Richmond, Sherrod, Staggs, Taggart, Terry, Ward, Wolcott, and Mr. President—27.

So the amendment to the amendment was not adopted.

Mr. Robinson moved to amend the amendment by striking out \$300 and inserting \$500.

Which was not agreed to.

The question then being, shall the amendment be adopted?

Mr. Cullen moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Cullen and Richmond.

Those who voted in the affirmative were,

Messrs. Bennett, Cason, Cravens, Cullen, English, Milligan, Newlin, Niles, Robinson, Sherrod, Terry, Thompson, Ward, and Wolcott—14.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Brown, Church, Gifford, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Smith, Staggs, Stein, Taggart, and Turner—26.

So the motion to lay the amendment on the table did not prevail.

The question again being, shall the amendment be adopted?

The ayes and noes were demanded by Messrs. Richmond and Noyes.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Brown, Cason, Church, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Smith, Staggs, Stein, Taggart, Terry, and Turner—32.

Those who voted in the negative were,

Messrs. Bennett, Cravens, Cullen, English, Niles, Robinson, Sherrod, Thompson, Ward, and Wolcott—10.

So the amendment was adopted.

Mr. Cullen moved that the bill be considered as engrossed, and that it be read a third time now.

Which was agreed to, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, Gifford, Houghton, Huey, Huffman, Hyatt, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—37.

Those who voted in the negative were,

Messrs. English, Humphreys, Sherrod, Staggs, and Taggart—5.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By the unanimous consent of the Senate, the order of business was suspended, and

Mr. Cumback introduced

Senate bill No. 182. A bill to amend section 11 of an act entitled "an act to provide compensation to the owners of animals killed or injured by the cars, locomotives, or other carriages of any Railroad Company in the State," approved March 1st, 1853, repealing all laws in conflict therewith, and declaring an emergency.

Which was read a first time, and referred to the Committee on Corporations.

On motion by Mr. Stein, the order of business was suspended, and

Mr. Stein, Chairman of the Committee on Legislative Apportionment, made the following report:

MR. PRESIDENT:

The Committee on Legislative Apportionment, to whom was referred Senate bill No. 166, a bill to fix the number of Senators and

Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, have had the same under consideration, and have instructed me, by a majority vote, to report it to the Senate without amendments, with a recommendation that said bill do pass.

Which report was concurred in, and,

On motion by Mr. Stein, the bill therein contained was read a second time.

Mr. Cullen moved to postpone the further consideration of the bill until to-morrow at 3½ o'clock P. M., and that it be made the special order for that hour.

Which was agreed to.

SPECIAL ORDER.

The hour having arrived, on motion by Mr. Oyler, the Senate resolved itself into a Committee of the whole Senate, Mr. Bennett in the Chair.

Senate bill No. 2, a bill to provide for the registry of voters and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and providing compensation for the services of such officers, being the special order under consideration. After some time spent in the consideration of the special order, the committee rose, the Chairman reported progress, and asked leave for the committee to sit again on to-morrow morning at 9 o'clock.

Which was granted by the Senate.

By the unanimous consent of the Senate, the order of business was suspended, and Mr. Oyler, from the Committee on Legislative Apportionment, made the following report :

MR. PRESIDENT :

The Committee on Legislative Apportionment, to whom was referred Senate bill No. 15, a bill districting the State of Indiana for Senatorial Representative purposes, have had the same under consideration and have instructed me to report the same back to the Sen-

and recommend that it be indefinitely postponed, for the reason that the subject matter of this act has already been reported to the Senate in another bill.

Which report was concurred in, and the bill was indefinitely postponed.

By consent of the Senate, Mr. Carson, from the Committee on Legislative Apportionments, made the following report.

MR. PRESIDENT:

The Committee on Legislative Apportionments, to whom was referred Senate bill No. 60, a bill to apportion Senators and Representatives for the General Assembly of the State of Indiana, beg leave to report that they have had the same under consideration and have directed me to report the same back to the Senate, with a recommendation that it lie on the table.

Which report was concurred in.

Mr. Gifford, from the Committee on Legislative Apportionment, made the following report:

MR. PRESIDENT:

The Committee on Legislative Apportionment, to whom was referred Senate bill No. 10, introduced by Mr. Bennett, entitled "An act to apportion Senators and Representatives," have had the same under consideration and have instructed me to return the bill to the Senate, and recommend its indefinite postponement.

Which was concurred in, and the bill indefinitely postponed.

Mr. Noyes, Chairman of a select committee, made the following report:

MR. PRESIDENT:

The select committee, to whom was referred House bill No. 12, "a bill to constitute the Fourteenth Judicial Circuit of Indiana; to fix the time of holding the courts in said circuit, and to repeal all laws in conflict therewith," have had the same under consideration and have have directed me report the same back to the Senate, and recommend its passage.

Which report was concurred in, and House bill No. 12, therein con-

tained, was read a second time, and passed to third reading on tomorrow.

By unanimous consent of the Senate, Mr. Cravens introduced Senate bill No. 183. A bill to legalize railroad consolidations, and declaring laws of such consolidation.

Which was read a first time, and referred to the Committee on Corporations.

On motion by Mr. Gifford, the Senate adjourned.

WEDNESDAY MORNING, 9 o'clock, }
February 13, 1867. }

The Senate met.

On motion by Mr. Oyler, the reading of the Journal of yesterday was dispensed with.

By consent of the Senate,

Mr. Oyler presented a petition from sundry citizens of Johnson county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Bennett presented a petition from sundry citizens of Union county, asking the enactment of a law to prohibit the sale of intoxicating drinks as a beverage.

Which was referred to the Committee on Temperance.

Mr. Rice presented a petition from two thousand citizens of Parke county on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Brown presented a petition from sundry colored citizens of Hamilton county, asking that the Constitution may be so amended that they may be put on an equality before the laws, and also asking that their children may not be deprived of the benefit of the school fund.

Which was referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Robinson presented a petition from sundry colored citizens of Grant county, asking the repeal of all laws that tend to make a distinction between men on account of race or color.

Which was referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Bennett presented a petition from sundry citizens of this State, asking the repeal of the dog tax law.

Which was referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

On motion by Mr. Oyler, the Senate resolved itself into a Committee of the Whole Senate, and resumed the consideration of Senate bill No. 2, a bill to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and providing compensation for the services of such officers.

After spending some time in the consideration thereof, the Committee rose, and, through their Chairman, made the following report:

MR. PRESIDENT:

The Committee of the Whole Senate, to whom was referred Senate bill No. 2, have had the same under consideration and have agreed upon the following amendments thereto, which they have directed me to report to the Senate, and when said amendments are concurred in, they recommend the passage of the bill.

The committee ask to be discharged from the further consideration of the subject.

1. Amend by striking out the first section.
2. Strike out sections two and three, and insert in lieu thereof the following:

The Board of Commissioners of each county shall, immediately after the passage of this act, and annually, at their December term thereafter, appoint two freeholders in each township, who, with the township trustee of said township, shall constitute a Board of Registry for said township, and each city by its city council shall appoint three freeholders in each ward, who shall constitute the Board for the registry of the votes for said city; *provided*, that in each township with more than one place for voting, there shall be appointed three freeholders besides the township trustee, and the one first named in the order of appointment shall be the inspector of elections in said second place of voting, and the one next named, the clerk of

elections in said second place of voting, and the one last named, a clerk in said place of voting where the said trustee is the inspector; and in a township where there is but one place of voting, the two other members of said Board of Registry, besides said trustee, shall be clerks of the election; *and provided further*, that in making said appointments by said Board of Commissioners, they shall choose persons belonging to the different political parties, so that each party may have a representative on said Board; *provided*, there are different parties in each township or ward; *and provided*, that the appointments shall be made from the political parties casting the highest number of votes in said township or ward.

The said Board of Registry shall make the registry hereinafter provided for said townships and cities, and when thus appointed by the Board shall file with the Auditor of the county the following oath:

“I do solemnly swear that I will support the Constitution of the United States and of the State of Indiana, and I will faithfully discharge the duties of the office of Register of elections for township to the best of my ability.”

And for cities the like oath shall be filed with the City Clerk, substituting in said form the name of the ward and city in place of the name of the township.

The said Board of Registry shall meet on the first Monday in February and the first Monday in August, of each year, at 9 o'clock, A. M., at the place in said township where the largest number of votes were cast at the last election, and organize themselves as a Board for the purpose of registering the names of the legal voters of said township or city. The Township Trustee shall be the Chairman of said Board, and the Board shall then proceed to make a list of all persons qualified and entitled to vote at the next ensuing election in said township or city. Said list, when completed, shall constitute and be known as the register of election of said district, and the said Board shall have power to sit for two days in making said register, and have power to employ a clerk at a compensation not exceeding three dollars per day, and shall have access to the poll-books of the preceeding elections, to aid them in making said list. No person shall be appointed to register said votes who shall not

have resided in said township two years, and who cannot read and speak the English language understandingly.

3. Amend section 10 as follows :

Add, after the word elections, in line 16, the words, "and prove by the oath of a householder, and registered voter of the precinct in which he asks to be registered, that he knows him to be a resident of the precinct, and entitled to be registered, and if any city, giving the residence of such person within said precinct."

4. Amend section 11 as follows :

Strike out the words "said oath shall be preserved and filed in the office of the Township Trustee, or City Clerk, or in case there be no Trustee or Clerk, then said oath shall be filed with and preserved by the Judges or Inspectors of the proper precinct," (lines 20, 21, and 22, inclusive,) and insert, "the affidavits referred to in this section shall be attached to and returned with said poll lists and registry, to the office of the County Clerk."

5. Amend by adding the following additional section :

Any member of the Board, in any contested case before them, in regard to the legality of a voter, may demand before final action is had, a recorded vote in the case, and such vote shall be recorded in the records of the Township Trustee, and in that case only such member who voted to do the wrongs contemplated in the preceeding section shall be amenable to its penalties, and in case no such vote is demanded, and no record made of the action of the Board, then all the members of the Board shall be deemed equally guilty, and shall be seperately indicted for said offense.

6h. Amend by inserting the following additional section :

If any member or officer of said Board shall willfully violate any of the provisions of this act, or be guilty of any fraud in the execution of the duties of his office, he shall be deemed guilty of felony, and punished for each and every offense by imprisonment in the State Prison for not less than one year.

7. Strike out section 18, and insert in lieu thereof the following :

Any person who shall cause his name to be registered in more than one election precinct, or who, by false statements, shall cause the Board to have his name put on said register when he is not a legal voter, or would not be at the next election, or who shall knowingly and falsely procure, by false statements, the name of any other person who is not or would not be a legal voter at the next election, or shall falsely personate any registered voter, at any election, or who shall knowingly aid or abet any person in either of said acts, shall be deemed guilty of misdemeanor and fined in any sum not less than one hundred or more than five hundred dollars, to which may be added imprisonment in the county jail for a term not exceeding ninety days. All intentional false swearing before said Board of Registration, shall be deemed wilful and corrupt perjury, and on conviction, punished as such.

8. Amend by adding the following section :

That all ballots which may be cast at any election hereafter held in this State, shall be written or printed on plain white paper, without any (distinguishing) mark, or other embellishment thereon, and Inspectors of Elections shall refuse all ballots offered of any other description.

Mr. Stein asked and obtained leave of absence for Mr. Smith.

On motion by Mr. Noyes, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Thompson presented a petition from sundry citizens of Marion county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Terry presented a petition from sundry citizens of Miami county, asking for the enactment of a prohibitory law.

Which was referred to the Committee on Temperance.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Stein offered the following resolution:

Resolved, That the State Librarian be, and he is hereby instructed to supply the engrossing and enrolling room of the Senate with rubber pipes, to connect the tubes with burners for the table in said room, in order that sufficient light may be afforded the clerks therein for the work of the Senate.

Which was agreed to.

REPORTS FROM STANDING COMMITTEES.

Mr. Ward, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 79, "a bill providing for the incorporation of Electric Telegraph Companies," have had the same under consideration, and have directed me to report the bill back to the Senate with the following amendments, and when so amended to recommend its passage.

Amend in line sixteen, section two, after the word "acknowledgement" insert the following words, "of deeds," and in line eighteen, same section, after the word county insert the following words, "in each county through which the same shall run," and strike out all thereafter in said section.

Which report was concurred in, and the amendments were adopted.

Mr. Hanna, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 71, a bill in relation to Joint Stock Insurance Companies organ-

ized under the laws of Indiana, have instructed me to report the same back without amendment and recommend its passage.

On motion by Mr. Hanna the bill and report were laid on the table.

Mr. Ward, Chairman of the Committee on Roads, made the following report :

MR. PRESIDENT :

The Committee on Roads, to whom was referred House bill No. 185, a bill to amend the forty-fifth section of an act entitled "An act to provide for the opening, vacating and change of highways," approved June 17, 1852, have had the same under consideration, and have directed me to report the bill back without amendment and recommend its passage.

Which was concurred in.

Mr. Terry, from the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

The Committee on Benevolent Institutions, to whom was referred Senate bill No. 116, a bill to amend sections eighteen and twenty-five of an act entitled "An act for the government of the Indiana Hospital for the Insane, and the care of the insane of Indiana," approved January 15, 1852, have had the same under consideration, and have directed me to report the same back to the Senate and recommend its passage.

Which was concurred in.

Mr. Rice, from the Committee on the State Library, made the following report :

MR. PRESIDENT :

The Committee on the State Library, to whom was referred the report of the State Librarian, the Rev. B. F. Foster, would respectfully report that they have had the same under consideration, and directed me to report the same back and that it lie on the table, without printing, as the same has been printed by order of the House.

Which report was concurred in.

Mr. Staggs, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claim of E. Williamson, have had the same under consideration, and instructed me to report the same back to the Senate, and that said claim be indefinitely postponed.

Which was concurred in.

Mr. Noyes, from the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 133, a bill to provide for, and authorize the completion of records of the transfer real estate, and completing the chain of title thereto, have had the same under consideration and have directed me to report the same back to the Senate, and recommend that the same be indefinitely postponed.

Which was concurred in, and the bill was indefinitely postponed.

Mr. Terry, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Priveleges of the Inhabitants of the State, to whom was referred House bill No. 83, "a bill for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act; repealing all laws inconsistent herewith and declaring an emergency," have had the same under consideration, and have directed me to report the same back to the Senate with the following amendments and when so amended, to recommend its passage :

Amend section three by striking out from lines 14, 15, and 16, "farm or premises of another, without permission of the owner thereof, where stock are grazed or herded," and substitute in lieu thereof, "en-

closed lands of another without permission of the owner or occupant thereof."

Amend further by striking out all section four.

Which report was concurred in, and the amendments adopted.

Mr. Carson, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 176, "a bill requiring railroads to erect signs or public notices at all highway crossings, and providing penalties for neglect thereof," have had the same under consideration, and have instructed me to report it back with the following amendments, to-wit :

Strike out of lines five and six on page three the words "as an additional forfeiture, and insert in lieu thereof these words, "as a docket fee," and when so amended recommend its passage.

Which was concurred in, and the amendments adopted.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 140, a bill authorizing Insurance Companies to reinsure their risks, and close up their business, have had the same under consideration, and instructed me to report it back with the following amendment, to-wit :

In the fifth line of first section, after the word "reinsure" insert the following words, "by and with the consent of the insured," and with this amendment recommend its passage.

Which report was concurred in, and the amendment adopted.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill

No. 148, a bill to amend an act entitled an act to incorporate the Grape Vine Marsh Plank Road Company, approved February 12, 1851, have had the same under consideration, and instructed me to report it back, and recommend its passage without amendments.

Which was concurred in.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred House bill No. 93, a bill prohibiting the locking of railroad cars in certain cases, and providing punishment therefor, have had the same under consideration, and instructed me to report the same back without amendment, and recommend its passage.

Which report was concurred in.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 140, a bill authorizing Insurance Companies to reinsure their risks and close up their business, have had the same under consideration, and instructed me to report it back with the following amendments, to-wit :

In the fifth line of the first section, after the word "reinsure," insert the following words, "by and with the consent of the insured," and with this amendment recommend its passage.

Which was concurred in, and the amendments adopted.

Mr. Huey, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee, to whom was referred House bill No. 144, a bill to prevent the spread of diseases among sheep, have had the same

under consideration, and have directed me to report the same back and recommend its passage.

Which was concurred in.

Mr. Church, Chairman of the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report:

MR. PRESIDENT:

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 174, a bill for the relief of Peter Wells and Benoria Wells, have had the same under consideration, and direct me to report the same back to the Senate and recommend that it do pass.

Which report was concurred in.

Mr. Armstrong, from the Committee on Immigration, made the following report:

MR. PRESIDENT:

Your Committee, to whom was referred Senate bill No. 14, a bill to establish a Board of Immigration for the purpose of encouraging immigration to the State of Indiana from the Eastern States of the United States, and from the countries of Europe, have had the same under consideration, and have instructed me to report it back without amendment and recommend its passage.

Which was concurred in.

Mr. Wolcott, Chairman of a Select Committee, made the following report:

MR. PRESIDENT:

The committee, to whom was referred Senate bill No. 171, a bill fixing the duration of the terms of the Circuit Court in the county of Warren, and repealing all laws in conflict with its provisions, respectfully report that they have considered, approved, and recommend the passage of the same.

Which was concurred in.

Mr. Cullen, from the Committee on Canals and Internal Improvements, made the following report:

MR. PRESIDENT:

The Committee on Canals and Internal Improvements, to whom was referred the petition of Lewis and Echelberger and others, praying for relief and compensation in consequence of the State failing to perform her contract in the lease of certain water power from the White Water Valley Canal Company, have had the same under consideration, and have prepared the accompanying bill, and direct me to report Senate bill No. 184, "a bill for the relief of Lewis and Echelberger, Dare and Johnson, Peter Hollowell and Abraham Briggs," to the Senate, with the recommendation that it do pass, and that the petition above referred to lay on the table.

Which report was concurred in, and Senate bill No. 184, therein contained, was read a first time and passed to its second reading on to-morrow.

Mr. Cravens moved to reconsider the vote by which the Senate concurred in the report and amendments of the Committee on the Rights and Privileges of the Inhabitants of this State, on House bill No. 83, a bill for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act; repealing all laws inconsistent herewith, and declaring an emergency.

Which was agreed to.

The question then being, shall the first amendment proposed by the committee be adopted?

It was agreed to.

The question then being, shall the second amendment proposed by the committee be adopted?

It was not agreed to.

The report of the committee, as amended, was then concurred in.

By unanimous consent of the Senate the following bills were introduced.

By Mr. Niles :

Senate bill No. 58. A bill to authorize Judges in Circuit Courts and Courts of Common Pleas, to appoint receivers in vacation, and to make all orders in relation thereto ; to authorize such Judges to modify and dissolve injunctions, and to allow appeals therefrom, the same as if made by the court in session, and to provide that an appeal from an injunction order shall not operate as a *supersedeas*.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cason introduced

Senate bill No. 186. A bill supplemental to an act providing for the settlement of decedents' estates, prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement.

Which was read a first time, and referred to the Committee on Judiciary.

Mr. Bellamy introduced

Senate bill No. 187. A bill to provide for the keeping of a County Pauper Record, and defining the duties of certain officers in relation thereto.

Which was read a first time, and referred to the Committee on County and Township Business.

Mr. Huffman introduced

Senate bill No. 188. A bill to amend the second paragraph of the sixth section of an act to provide for the appraisement of real estate and prescribing the duties of officers in relation thereto, approved December 21, 1858.

Which was read a first time, and referred to the Committee on Corporations.

SPECIAL ORDER.

Senate bill No. 1. A bill to divide the State into Congressional Districts, and the report of the committee.

Was taken up.

Pending its consideration, on motion by Mr. Bennett, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Wolcott, Ward, and Mr. President—41.

On motion by Mr. Oyler, the further call of the Senate was dispensed with.

The question being, shall the report of the committee be concurred in ?

Mr. Sherrod moved to amend as follows :

Strike out the word "Dubois" where it occurs in the Second District and add it to the First District.

Mr. Bennett moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Sherrod and Hanna.

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Bellamy, Brown, Cason, Church, Cravens, Cullen, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, and Wolcott—25.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Staggs, Taggart, and Turner—15.

So the amendment was laid on the table.

Mr. Gifford moved to amend as follows :

Amend by striking out the county of Dearborn from the Third District and add it to the Fourth District.

Mr. Bennett moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Bennett and Gifford.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cullen, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry Thompson, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, Cravens, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Staggs, Taggart, and Turner—17.

So the amendment was laid on the table.

Mr. Turner moved to amend as follows :

“Strike off Perry from the First District, put it to the Second District, and adding Martin county to the First District.”

Mr. Bennett moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Hanna and Huffman.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Cullen, Hyatt, Johnson, Lewis, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Ward, and Wolcott—23.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Houghton,

Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Staggs, Taggart, and Turner—15.

So the amendment was laid on the table.

Mr. Turner moved to amend as follows :

Amend by striking off Perry from the First, and adding it to the Second District.

Mr. Bennett moved to lay the amendment on the table.

Which was agreed to.

Mr. Sherrod moved to amend as follows :

“Strike out the word Jackson, where it occurs in the Second District, and add it to the Third.”

Mr. Bennett moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Hanna and Bowman.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward and Wolcott—27.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Staggs, Taggart, and Turner—15.

So the amendment was laid on the table.

Mr. Turner moved to amend as follows :

Strike out Davies from the First and add it to the Sixth District.

Mr. Bonham moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Gifford and Hanna.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, and Wolcott—28.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Staggs, Taggart, and Turner—15.

So the amendment was laid on the table.

The question then being, shall the report of the Committee be concurred?

It was agreed to.

The question then being, shall the amendments reported by the Committee be adopted?

It was agreed to.

Mr. Bennett moved that the bill be considered as engrossed, and that it be read a third time now.

Mr. Sherrod moved to lay the motion of Mr. Bennett on the table.

The ayes and noes being demanded by Messrs. Hanna and Sherrod,

Those who voted in the affirmative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Staggs, Taggart, and Turner—15.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Carson,

Church, Cravens, Cullen, Houghton, Hyatt, Johnson, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—29.

So the motion to lay on the table did not prevail.

The question recurring on the motion to consider the bill as engrossed, and that it be read a third time now.

Mr. Bennett demanded the previous question, which was seconded by the Senate.

The question then being, shall the main question be now put?
It was agreed to.

The question again being, shall the bill be considered as engrossed, and be read a third time now?

It was agreed to, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—29.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Humphreys, Huffman, Lee, Newlin, Sherrod, Staggs, Taggart, and Turner—15.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Cullen offered the following resolution:

WHEREAS, A Committee of five has been appointed by the Speaker of the House of Representatives to investigate alleged frauds upon the part of the late Public Printer; therefore,
S. J.—28

Be it resolved, That a Committee of three be appointed by the President of the Senate to act in conjunction with said House Committee in said investigation.

Which was agreed to, and the President appointed Messrs. Cullen, Richmond, and Hanna said Committee.

SPECIAL ORDER.

Senate bill No. 166. A bill to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State.

Was taken up.

Mr. Hanna moved to indefinitely postpone the further consideration of the bill.

Mr. Stein moved to lay the motion to postpone on the table.

The ayes and noes were demanded by Messrs. Cullen and Hanna.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Humphreys, Lee, Newlin, Sherrod, Staggs, Taggart and Turner—16.

So the motion to indefinitely postpone was laid on the table.

Mr. Bellamy moved to amend as follows:

Amend the portion of the bill referring to Senators by striking out "Ohio and Dearborn jointly," and insert in lieu thereof "Dearborn one." Strike out "Ripley and Switzerland, one jointly," and insert "Ripley, Switzerland, and Ohio, one jointly."

Amend the portion referring to Representatives by striking out "Switzerland and Ohio one jointly," and insert "Switzerland one."

Strike out "Ripley and Jefferson, one jointly," and insert "Ripley and Ohio, one jointly."

Mr. Stein moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Hanna and Gifford.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bowman, Brown, Cason, Church, Cravens, Cullen, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Wolcott, and Mr. President—25.

Those who voted in the negative were,

Messrs. Bellamy, Carson, English, Gifford, Hanna, Houghton, Huey, Humphreys, Lee, Newlin, Sherrod, Staggs, Taggart, Turner, and Ward—16.

So the amendment was laid on the table.

Mr. Houghton moved to amend the bill as follows:

Where it reads "Pike, Dubois and Martin," strike out "Pike and Dubois," and insert "Lawrence."

Mr. Brown moved to lay the amendment on the table.

Which was agreed to.

Mr. Houghton moved to amend as follows:

Strike out the float given Morgan and Johnson and give it to Martin.

Mr. Oyler moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Oyler and Gifford.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cullen, Lewis, Milligan, Niles, Oyler, Reagan, Reynolds, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—20.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, Cravens, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Johnson, Lee, Newlin, Parrish, Rice, Richmond, Sherrod, Smith, Staggs, Taggart, and Turner—22.

So the amendment was not laid on the table.

The question being on the adoption of the amendment.

Those who voted in the affirmative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Lee, Newlin, Parrish, Sherrod, Smith, Staggs, Taggart, and Turner—18.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—25.

So the amendment was not adopted.

Mr. Gifford moved to amend the bill as follows :

Amend by striking out the joint Representative between Johnson and Morgan, and give the same to Franklin and Dearborn.

Mr. Cullen moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Gifford and Sherrod.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Brown, Cason, Church, Cravens, Cullen, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Barker, Bennett, Bowman, Carson, English, Gifford,

Hanna, Houghton, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Smith, Staggs, Taggart, and Turner—18.

So the amendment was laid on the table.

Mr. Taggart moved to amend the bill as follows:

Strike out Jackson, and insert Bartholomew and Brown, one jointly.

Mr. Stein moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Hanna and Gifford.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Staggs, Taggart, and Turner—16.

So the amendment was laid on the table.

Mr. Taggart moved to amend as follows:

Strike out Jackson, and insert Monroe and Brown one.

Mr. Milligan moved to lay the ammendment on the table.

The ayes and noes were demanded by Messrs. Huey and Turner.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Smith, Staggs, Taggart, and Turner—17.

So the amendment was laid on the table.

Mr. Richmond moved to amend the bill as follows:

Amend by striking out "Howard and Carroll one, Cass and Fulton one, Kosciusko and Whitley one, Huntington and Wells one, Allen one; and, Allen and Adams one jointly, Clinton and Boone one, and insert Boone one, Clinton and Carroll one, Howard and Cass one, Fulton and Kosciusko one, Whitley and Huntington one, Wells and Adams one, and Allen one."

Mr. Oyler moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Oyler and Hanna.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Carson, Church, Cravens, Cullen, Gifford, Huffman, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Barker, Bonham, Bowman, English, Hanna, Houghton, Huey, Humphreys, Lee, Newlin, Parrish, Richmond, Sherrod, Smith, Staggs, Taggart, and Terry—17.

So the amendment was laid on the table.

Mr. Taggart moved to amend the bill as follows:

Strike out Jackson, and insert Morgan and Browne.

Mr. Oyler moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Taggart and Hanna.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Smith, Staggs, Taggart, and Turner—17.

So the amendment was laid on the table.

Mr. Cullen moved to amend the bill as follows :

Strike out "Rush and Decatur one Senator, and insert Rush one, Decatur one.

Mr. Richmond moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Richmond and Cullen.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Gifford, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, Cullen, English, Hanna, Houghton, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Smith, Staggs, Taggart, and Turner—17.

So the amendment was laid on the table.

Mr. Gifford moved to amend as follows :

Amend by striking out the joint Representative between Decatur and Rush, and give the same to the county of Martin.

Which was agreed to.

Mr. Houghton moved to amend the bill as follows :

Strike out one of the floats given Jennings and insert Martin.

Which was not agreed to.

Mr. Barker moved to amend the bill as follows :

Amend by striking out "Martin" and inserting "add Gibson to Pike and Dubois."

Which was not agreed to.

Mr. Stein moved to consider the bill as engrossed, and that it be read a third time now, and upon that motion demanded the previous question.

Which was seconded by the Senate.

The question being, shall the main question be now put ?

It was agreed to.

The question then being, shall the bill be considered as engrossed and read a third time now.

It was agreed to, and the bill was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Smith, Staggs, Taggart, and Turner—17.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Cravens,

Senate bill No. 139. A bill to carry into effect the benefits of an act of Congress, approved July 5, 1862, entitled an act donating public lands to the several States and Territories, which may provide colleges for the benefit of agriculture and the mechanic arts; and to establish and locate a college for the promotion of general science, and for the teaching of such branches of learning as are related to agriculture and the mechanic arts and military tactics; and for the acceptance of donations for the benefit of such college.

Was taken up.

Pending the consideration thereof, Mr. Niles, from the Special Joint Committee on Agricultural College, made the following minority report :

MR. PRESIDENT :

The undersigned, a member of the Committee on Education, to whom, together with the Committee on Agriculture, was referred Senate bill No. 139, in relation to the Agricultural College, beg leave to submit the following minority report :

The committee had two meetings on the subject, at neither of which were all the members present. The undersigned was present at the first, but was prevented by other engagements from attending the final meeting at which the members then present determined to report in favor of the bill.

At the first meeting, which was of short duration, the undersigned had an opportunity only to allude to his grounds of objection to the plan finally adopted by the majority of the committee; and on account of the importance of the subject he desires briefly to explain his views in this report.

The act of Congress making the donation of land to the State by the endowment of an Agricultural College was passed on the fifth day of July, A. D. 1862, and required that the college should be located, and, to some extent, put in operation within five years from the twenty-third day of July, A. D. 1866, a supplemental act was passed extending the time for the acceptance of the grant for three years.

from that date, which time will not expire till the twenty-third day of July, 1869, and extending the time for providing the college to five years thereafter; so that the limitation as to time does not necessarily expire until July, 1874.

It thus appears that no immediate action on the subject is required to prevent a lapse of the grant, and there is ample time for the deliberation and the calm discussion of this important question.

The undersigned can not see the necessity or propriety, under the circumstances, of this bill being hurried through the Senate out of its order. On the contrary much may be gained by delay, by a free interchange of opinion and by calm reflection.

The bill under consideration locates the college on the Tippecanoe Battle Ground, a point six miles north of Lafayette, and about eighty miles north-west from Indianapolis, approachable only by a single line of railroad, and where the prospect of its intersection by others is very remote.

The bill also proposes to found a College almost exclusively designed for the education of youths, not essentially different from our other Colleges, though it is proposed to make the science of Agriculture and Mechanism a prominent branch of instruction.

No important donation to the funds of the institution is required by the bill, and all competition on that subject is excluded; while it is, to say the least, a grave question whether the battle ground itself can be appropriated to such an object without forfeiting the title to the heirs of General Tipton, who conveyed it to the State in trust for a particular purpose.

Our neighboring State of Illinois has issued proposals making the location of their Agricultural College to some extent dependent on the endowment of the institution by private liberality, and offers of several hundred thousand dollars each from various parts of the State are freely made as an inducement to its location in their neighborhoods. The undersigned has reason to believe that, by a similar course, we could secure for our College a private endowment of more than one hundred thousand dollars; and he is of opinion that most liberal contributions would be made by Marion county, and the City of Indianapolis, if reasonable opportunity were given them for the purpose. By the hasty passage of this bill we waive all prospects for such endowments.

There are two questions to be determined; one as to the kind of institution to be established, and the other as to its location.

Two radically different plans are proposed. One, as we have seen, contemplates an ordinary College with instruction in agriculture, military tactics and mechanics engrafted on it. Such instruction is now given in many of our older Colleges and Universities, including military drills, and some of them have departments and professorships for that purpose. This institution would differ from the others only in name. They are all alike designed for the education of youths.

The other plan, which the undersigned is constrained to favor, contemplates, as of prime importance, the education of the farmers and mechanics of the State in real, practical knowledge, such as is especially adapted to their wants; while it does not preclude the idea of a college for the education of the young. For this purpose a considerable tract of land would be desirable. Such a tract, centrally located near the capital, could now readily be procured. This could, by slow degrees, be made into a model farm, illustrative of all the improved methods of agriculture, horticulture, and the kindred arts, including the keeping and the best varieties and improvement of the breeds of stock; the value and use of manures; the improvement and propagation of seeds, flowers, fruits, vegetables and grains. There all the valuable suggestions on the vast variety of subjects peculiarly important to farmers and mechanics could be tested and shown to the public. There all new and improved agricultural and mechanical implements could be exhibited and tried. It would be a kind of common farm for all the people of the State. The State Fairs could be there held. The State Board of Agriculture, also, could meet at the farm, and permanent buildings for the use of both be provided. At the times of such meetings, and other suitable occasions, instructions could be given in the form of lectures on agriculture, mechanics and the kindred arts and sciences, to which any of the farmers and mechanics of the State could be admitted free of expense.

In this respect, the institution might be like a branch or department of a great European University, designed for the instruction of men, and not merely for boys.

With this view, its location at a distant point would be as if the polytechnic institution of France had been located elsewhere than at Paris, or as if the present World's Fair were established in a provincial city. All this would not be inconsistent with another department like an ordinary college for the education of youths, though that would be its least important and essential feature, as the State will abound with such colleges, while we can hope to have but one

institution of the character above indicated. It could become a great central mart for the exchange of the experience and matured thoughts of grown up men. True, it would require time, and perhaps many years to fully realize this idea, but a right beginning would insure the final result. And the institution might ultimately become the nucleus of a real university.

It is objected by some that the morals of the pupils would be corrupted by contact with a city. That idea is, in a great degree, erroneous. We do not learn that the moral conduct of pupils at the University of Berlin, or at Harvard, is worse than at Dartmouth or Heidelberg.

Young men are to be saved from vice not by shutting them up in cloisters, but by wholesome discipline, and by instilling into their minds true principles of morality and religion.

The second inquiry is, where should such an institution be located? Is there but one suitable point, and is not that one our State Capital? We hear charges about what is called the grasping spirit of Indianapolis. But what is that to us? Even if there be ground for the charges we may well reflect that the present population will soon pass away, and others, not alone their descendants, but coming from all parts of the State and of the Union and from Europe, will take their places.

Already eight lines of railroad converge at this point, and others are being built. It is as if eight Ohio rivers were pouring their tides of trade and commerce into and through the city. In the old world the meeting of caravan routes built up cities in the interior. When commerce took to the ocean, great cities were built upon the coast. Now the railroad has restored to us the caravan increased in importance a thousand fold; and it requires no spirit of prophecy to predict that Indianapolis must, in time, become a large inland city. It is, and will remain, not only the capital and the central point of communication, but probably the chief city of the State. To be jealous of its prosperity is as unwise as to complain that the center of a circle is not its circumference, or for the hand to be jealous of the head and try to injure it merely because it is the head.

Let us rather look to the condition of things in the future, when every person now living in the State will be forgotten, when our population shall have increased five fold and Indianapolis will contain a quarter of a million or more of inhabitants. Then, as now, the material greatness of the State, and the security of political and

personal rights will rest on our agricultural and mechanical population, like a pyramid on its base. Among them will continue to be found many of our purest patriots and most enlightened statesmen. Then, as now, only a small proportion of the laboring classes will pass through a seven or a four years' course of scientific and classical training at a College or University, and happily such a training is not necessary to that development of mind and cultivation of the noblest faculties which are essential to a true civilization.

The question is now presented how and where can we best found an institution designed to interest, instruct and elevate this largest and most important class of our future population?

Anything essentially akin to our present colleges can not meet their wants. It can give something of instruction and mental discipline to the young, but much of what the youth destined for the farm and workshop will acquire at such an institution, being to him unpractical, will soon be forgotten; while the grown up man, blessed with sturdy sense and strong hands, and the rudiments of an English education, can, by means of books, by social intercourse and active employment, acquire a self culture and practical wisdom worth more than all the learning of the schools. It is for the benefit of such grown up men that the institution should be primarily adapted.

Our industrial community are waking up to the idea of mutual instruction and improvement. It is for that purpose that the State Agricultural Society meets periodically at the Capital. The Governor is by law required to provide suitable rooms for their use. It is safe to predict that these meetings will never be abandoned, but will increase in numbers and interest. Their records, collections and archives will become more valuable every year, and must be preserved. The State Fairs have also become a permanent institution, and both will continue to be held at Indianapolis, for the obvious reason that it is not only our chief city, but is also by far the most central and accessible point in the State. An Agricultural College located elsewhere would add little or nothing to the value of these meetings.

It is also safe to estimate that twenty farmers and mechanics would visit the institution and receive its benefits, if located here, to every one who would visit it if located at such a point as indicated in the bill.

In the judgment of the undersigned, there is little ground for choice between dividing the fund between several colleges of the

State, as is proposed by some, or applying it to build up another substantially similar institution. It is even doubtful whether it would not be better to strengthen our existing colleges, by dividing the fund among them, than to weaken them all by an effort to build up a rival institution, offering no greater advantages, and having no stronger claims on the public sympathy.

Similar ideas to the above have been orally expressed by the undersigned at two preceding sessions of the Senate, and while it is unpleasant to come in conflict with personal feelings strongly enlisted in favor of local interests, the undersigned is so fully impressed with the truth and practicability of these views that he does not feel justified in withholding this report.

Surely there can be no injury from some further delay in order that the opinions of our constituents may be fully matured and find definite expressions.

In this act we are legislating far more for coming and distant generations than for the present, and in such an act all local interests, petty jealousies and personal aspirations should find no place.

JNO. B. NILES.

Mr. Cason moved to postpone the further consideration of the bill and pending amendments until Thursday, February 21, at 2 o'clock P. M., and that they be made the Special Order for that hour.

Which was agreed to.

Mr. Thompson asked and obtained leave of absence for the Committee on Prisons.

On motion by Mr. Oyler, the Senate adjourned.

THURSDAY MORNING, 9 o'clock, }
February 14, 1867. }

The Senate met.

On motion by Mr. Noyes, the reading of the Journal was dispensed with.

On motion by Mr. Carson, the Order of Business was suspended and Senate bill No. 37, a bill to repeal all general laws now in force for the incorporation of cities and to provide for incorporation of cities, prescribe their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, was taken up.

The bill was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Huey, Huffman, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, and Wolcott—35.

Mr. Jaquess voted in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Bonham, the Order of Business was suspended and Senate bill No. 42, a bill defining what counties shall constitute the seventh Judicial Circuit and fixing the times of holding the Courts therein, was taken from the table.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Rice, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—36.

Those who voted in the negative were,

Messrs. Bellamy, and Oyler—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Bonham, the order of business was suspended and Senate bill No. 40, "a bill defining what counties shall constitute the Thirteenth Judicial Circuit," was taken from the table.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, English, Gifford, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Rice, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—35.

Those who voted in the negative were,

Messrs. Bellamy, and Oyler—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Cullen asked and obtained leave of absence for Messrs. Richmond and Bennett.

Mr. Oyler asked and obtained leave of absence for Mr. Reynolds.

On motion by Mr. Cason, the order of business was suspended and, Senate bill No. 114. A bill to amend an act entitled act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named; and for the establishment and regulation of Township Libraries, and repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto, and the report of the Committee on Education thereon, Were taken up.

A rule of the Senate requiring that the foregoing bill should be considered in Committee of the Whole, the Senate,

On motion by Mr. Oyler, resolved itself into a Committee of the Whole Senate, Mr. Oyler in the chair.

After some time spent in the consideration of the bill, the committee rose and reported, through its Chairman, that it had adopted the following amendments, and asked the concurrence of the Senate therein, and when said amendments are adopted by the Senate, the committee recommend the passage of the bill :

Amend by striking out section one after the enacting clause, and inserting in lieu thereof the following :

That section five of the above recited act, which reads as follows, to-wit :

“SECTION 5. The Common Council of each incorporated city, and the Board of Trustess of each incorporated town of this State shall, at their first regular meeting in the month of April of the pssent year, and biennially thereafter, elect three school trustees, who shall, before entering upon the duties of their office, take and subscribe an oath and give bond similar to the oath and bond required of Township Trustees, and such Trustees shall be allowed such reasonable compensation per diem for their services, as to the authorities of such incorporated cities and towns may be deemed just, to be paid out of the special tax raised in such cities or towns,” be and the same is hereby amended to read as follows, to-wit :

SECTION 5. The qualified electors of each incorporated city and town in this State, shall, at the next annual general election for city
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or town officers, elect three School Trustees, who shall, before entering upon the duties of their office, take and subscribe an oath and give bond similar to the oath and bond required of Township Trustees, and such Trustees may be allowed, as a compensation for their services, two dollars per day, but no such Trustee shall be allowed more than fifty dollars in any one year; that said Trustees shall respectively hold their offices as follows:

The person having the highest number of votes shall continue in office three years, the next highest two years, and the next highest thereafter one year; but if two or more persons have the same number of votes, their terms shall be determined by lot under the direction of the board of canvassers returning the election, and annually thereafter, one School Trustee shall be elected as other city officers are, and shall hold his office for three years, and until his successor is elected and qualified; provided that said Trustees shall in no manner, either directly or indirectly, be intrusted, in any way or manner, in any contract made by any or either of them, in the performance of any duty required of them by the provisions of this act, nor in any matter whereby a debt or liability is in any way created against said Trustees.

Amend section two by inserting the word "Township" before the word "Trustee" in line four of said section.

Amend section five by striking out from the word "any," in the 7th line, to the end of the section, and insert the following:

"Tax payers who may loan the Treasurer of the township, town, or city, wherein said tax payer has property liable to taxation, any amount of money, or furnish building material for the construction of school houses, or furniture, or fuel therefor, shall be entitled to a receipt therefor from the Trustee of said township, town or city, which shall exempt said tax payer from any further taxes for said purpose until the taxes of said tax payer, levied for such purpose, would, if not thus paid, amount to the sum or value of the material so furnished, or amount so paid; *provided* that said building material or furniture and fuel shall be received at the option of said Trustee.

Strike out of section seven all after the word "September," in the 14th line in the amended section sixteen.

Amend section eleven as follows :

Amend line 17 by inserting after the word "therewith," the words "and at such meetings all tax payers of the district shall be entitled to vote, except married women."

Amend the amended section fourteen as follows :

Provided, that in any case property has heretofore been acquired, or may hereafter be acquired for purposes of township graded schools, such property shall be owned jointly by the town and township in which it is situate, and the schools therein shall be open to both corporations, and shall be managed jointly by the Trustees of the town and township in such manner, and subject to such regulations as may by them be agreed upon.

Amend the first and second additional sections reported by the Committee, as follows :

Insert, after the word "graded schools," the words "of any two or more contiguous townships or," and at the end of the first proposed section, the word "and," writing the proposed sections and making them one.

Amend the report of the Committee by striking out additional section 18, reported by it, and inserting the following.

SECTION —. All applicants for license to teach in the common schools of this State, shall, after the first day of June, of the present year, be examined in orthography, reading, writing, arithmetic, geography, English grammar, physiology, history of the United State, and history of the State of Indiana, and any teacher who shall be employed to teach branches other than these, shall, before commencing to teach, be examined in such other branches, and all examinations shall be conducted in conformity with the provisions of the act to which this is an amendment.

Amend by inserting the following additional :

SECTION —. *And be it further enacted*, that the following supplemental section be added to the act aforesaid, to-wit :

That the text books in the common schools shall not be changed except by consent of the proper school Trustee, or Trustees, and any teaches who shall, within the time he is actually engaged in teaching, act as agent for or in behalf of any text books or book, shall be subject to dismissal from his school, and to the stoppage of his wages; and any school officer who shall act as agent for or in behalf of any text book or books, maps or charts, shall, on conviction thereof before any court of competent jurisdiction, be fined in any sum not less than ten dollars nor more than one hundred dollars and costs.

Amend by inserting the following additional section :

SECTION —. That whenever complaint is made to the School Trustees, by the parent or guardian of any child, that the same has been cruelly treated by the teacher of any public school, and the said Trustees shall fail or refuse to investigate the same, the parent or guardian may appeal to the Superintendent of Public Instruction, whose duty it shall be to investigate said charge, and if found true to dismiss or suspend the teacher or revoke his license, and any teacher whose liscence has been revoked for the reason aforesaid, shall be incapable of afterwards being licensed to teach in the public schools of the State.

The report was concurred in, the amendments adopted, and the Committee discharged from the further consideration of the subject.

By unanimous consent of the Senate, Mr. Rice, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 161, "a bill to establish a House of Refuge for the correction and reformation of juvenile offenders," have had the same under consideration, and direct me to report the same back to the Senate, and recommend its passage.

Mr Niles moved to lay the report and bill on the table, and that they be made the special order for this afternoon at 2 o'clock.

Which was not agreed to, and the report of the Committee was then concurred in.

On motion by Mr. Bellamy, the order of business was suspended, and Senate bill No. 156, a bill regulating the filing of petitions, or complaints in Commissioners' Courts.

Was taken up, and recommitted to the Committee on County and Township Business.

By consent of the Senate, the order of business was suspended, and Mr. Robinson offered the following resolution :

Be it resolved, That Dr. John Hunt be allowed the sum of one hundred dollars, for his expenses connected with the contest of the Senatorial Election for the District of Madison and Grant.

Which resolution was adopted.

By consent of the Senate, the order of business was suspended, and Mr. Turner offered the following :

Resolved, That the President of the Senate appoint a committee of three to wait upon the Librarian, and instruct him to take from the floor, and rehang the portrait of General George Washington, the Father of White Republicans, which has been taken down from its old place to make room for the portrait of Abraham Lincoln, the Father of Black Republicans.

Resolved, That in these "latter saints days" it would be treasonable to object to putting the two portraits on an equality.

Mr. Cullen moved to lay the resolution on the table.

Which was agreed to.

By unanimous consent of the Senate, Mr. Cullen offered the following concurrent resolution :

Be it resolved by the Senate, the House concurring therein, That a Joint Committee consisting of three of the Senate, and five members of the House of Representatives, be appointed to examine into alleged frauds on the part of the State Printer ; and said Committee shall have power to send for persons and papers.

Which was agreed to.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Terry the Senate adjourned.

TWO O'CLOCK P. M.

The Senate met.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Turner offered the following resolution :

Resolved, That the Librarian be instructed to take the portrait of General George Washington from the floor, and hang it in an appropriate place.

Which was agreed to.

Mr. English was granted leave of absence.

By the unanimous consent of the Senate, the Order of Business was suspended.

Mr. Carson, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 182, a bill to amend section eleven of an act entitled "An act to provide compensation to the owners of animals killed or injured by the cars, locomotives, or other carriages of any railroad company in the State," approved March 1, 1853, repealing all laws in conflict therewith, and declaring an emergency, have had the same under consideration, and instructed me to report the same back and recommend its passage.

Which was concurred in.

By unanimous consent of the Senate, the Order of Business was suspended, and

Mr. Cullen, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 125, an act to declare abandoned certain unfinished railroads and

to provide for their completion; to declare forfeited the franchises of certain railroad companies and for the assessment of the value thereof; for the organization of new companies and for making annual statements, have had the same under consideration, and ordered me to report it back with the following amendment, to-wit:

Amend the first section to read as follows: That any railroad company whether organized under a special charter or under the general laws thereof for the construction of railroads, either in whole or in part within this State, who shall fail to keep up the directory of their road, and expend at least the sum of fifty thousand dollars upon the line of their road within any two years from the taking effect of this act, shall be taken and held to have abandoned such road, and such company is hereby declared to have forfeited all her rights, privileges and franchises, and recommend its passage.

Which report was concurred in.

By consent of the Senate, the Order of Business was suspended, and

Mr. Bellamy, Chairman of the Committee on Phraseology and Arrangement of Bills and Enrolled Bills, made the following report.

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills and Enrolled Bills, have examined enrolled bill No. 5, a bill to amend an act entitled "An act to amend an act entitled an act to fix the amount of of the salary of the State Librarian, and repealing all former laws conflicting therewith and to dispense with an Assistant Librarian and Clerk," approved March 4, 1859, and also increasing the powers and duties of the State Librarian, approved December 20, 1865, and instructed me to report that they find the word "that" omitted in line eighteen of section one immediately after the word "and;" also the letter "r" omitted from the word "Governor," and they would respectfully recommend that said omissions be supplied.

Which report was concurred in.

By consent of the Senate, the Order of Business was suspended, and

Mr. Humphreys, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred a resolution of the Senate, in regard to the claim of John Hunt for services as a member of the Senate during the first fifteen days of the present session, have had the same under consideration, and have instructed me to report it back, and recommend it be referred to the Committee on Finance, and that the amount claimed therein (\$93.00) be allowed.

Which report was concurred in.

SPECIAL ORDER.

Senate bill No. 16, a bill defining a legal day and prescribing the number of hours of labor in a day's work.

Was taken up, and,

On motion by Mr. Cullen, the bill was laid on the table.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Reagan presented a petition from sundry colored citizens of Henry county, asking that they may be put on perfect equality before the laws, civilly and politically, and also asking that provision be made for the education of colored children.

Which was referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Ward presented a petition from sundry citizens of Randolph county, asking the enactment of a prohibitory law.

Which was referred to the Committee on Temperance.

Mr. Wolcott presented a petition from sundry citizens of Warren county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

REPORTS FROM STANDING COMMITTEES.

Mr. Wolcott, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT:

The Finance Committee, to whom was referred "House Joint Resolution No. 2," a Joint Resolution instructing our Senators and requesting our Representatives in Congress, to use their influence to have the interest bearing debt of the United States first paid, have considered the same, and they have directed me to report that they approve the said resolution, and recommend its passage.

Which report was concurred in.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary to whom was referred Senate bill No. 141, a bill to define the crime of drunkenness and to provide penalties therefor, have had the same under consideration, and have directed me to report it back to the Senate and recommend its passage.

Which report was concurred in.

Mr. Carson, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 178, an act to regulate the assessment and collection of taxes on the capital stock owned in Banks and Banking Associations doing business in the State of Indiana, have had the same under consideration and ordered me to report it back with the following amendment:

Amend section four by inserting after the word "property," in line seventeen, the following words, "other than such stock," and recommend its passage.

Which report was concurred in.

Mr. Ward, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill

No. 127, an act to amend an act entitled an act regulating Foreign Insurance Companies doing business in this State, prescribing the duties thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act, have had the same under consideration, and ordered me to report it back and recommend its indefinite postponement.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Bonham, Chairman of the Committee on Banks, made the following report :

MR. PRESIDENT :

The Committee on Banks, to whom was referred the report of the Bank of the State of Indiana, have had the same under consideration, and have instructed me to report the same back and recommend that it be laid on the table.

Which report was concurred in.

Mr. Bonham, Chairman of the Committee on Banks, made the following report :

MR. PRESIDENT :

The Committee on Banks, to whom was referred the report of the Branch Bank of the State of Indiana, have instructed me to report the same back and recommend that it be laid on the table.

Which report was concurred in.

Mr. Reagan, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claim of A. P. Newkirk for twenty-five dollars, for organizing the Assistant Secretary desk at the commencement of the present session, have had said claim under consideration, and have directed me to report the same back and recommend that it be referred to the Committee on Finance, and he be allowed five dollars for one days work in organizing the same.

Which report was concurred in.

Mr. Terry, Chairman of the Committee on Swamp Lands, made the following report :

MR. PRESIDENT :

The Committee on Swamp Lands, to whom was referred Senate bill No. 115, a bill entitled an act to provide by law for draining and ditching low, wet, and overflowed lands in the State of Indiana, have had the same under consideration, and have directed me to report the same back to the Senate recommending its passage.

Which was concurred in.

By consent of the Senate, the order of business was suspended, and,

On motion by Mr. Church, Senate bill No. 147, a bill to amend the fifth clause, or subdivision of section seven, repealing the seventh clause, and to amend section eleven of an act entitled an act regulating the granting of divorces, nullification of marriages, and decrees and orders of court incident thereto, approved May 13, 1852; and to amend sections one and two of an act entitled an act to amend the sixth section, and the third clause of the seventh section, and the twelfth, fourteenth, nineteenth, and twentieth sections of an act entitled an act regulating the granting of decrees, nullification of marriages, and decrees and order of court incident thereto, and to provide for opening up decrees of divorce in certain cases, approved May 13, 1852; approved March 4, 1859, and the report of the Committee on the Rights and Privileges of the Inhabitants of this State thereon.

Were taken from the table.

Mr. Cullen moved to recommit the bill to the Committee on the Judiciary with a recommendation to amend section two, so as to provide for publication in the county paper six weeks, and also in daily papers published at the Capital for six weeks.

Which was not agreed to.

The question being, shall the report of the Committee be concurred in?

The ayes and noes were demanded by Messrs. Cason and Cullen.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Church, Gifford, Huey, Huffman,

Humphreys, Lee, Lewis, Milligan, Niles, Reagan, Rice, Robinson, Staggs, Taggart, Terry, Turner, Wolcott, and Mr. President—20.

Those who voted in the negative were,

Messrs. Bellamy, Bonham, Bowman, Brown, Cason, Carson, Cravens, Cullen, Hyatt, Jaquess, Johnson, Newlin, Noyes, Oyler, Parrish, Sherrod, Stein, Thompson, and Ward—19.

So the report of the Committee was concurred in.

SPECIAL ORDER.

Senate bill No. 46. A bill to regulate the sale of spirituous vinous, malt, and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof, and the pending amendments thereto.

Was taken up.

Mr. Rice moved to postpone the further consideration of the bill, and pending amendments until to-morrow at 3 o'clock P. M., and that they be made the special order for that hour.

The ayes and noes were demanded by Messrs. Cullen and Oyler.

Those who voted in the affirmative were,

Messrs. Bonham, Brown, Cason, Carson, Church, Cravens, Huey, Hyatt, Jaquess, Johnson, Milligan, Niles, Parrish, Rice, Ward, and Mr. President—16.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Cullen, Gifford, Hanna, Huffman, Humphreys, Lee, Lewis, Newlin, Noyes, Oyler, Reagan, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, and Wolcott—24.

So the motion to postpone did not prevail.

The question being on the adoption of the first amendment, reported by the Committee of the whole Senate.

Mr. Cason moved to lay it on the table.

The ayes and noes were demanded by Messrs. Oyler and Bonham.

Those who voted in the affirmative were,

Messrs. Bellamy, Bowman, Cason, Cravens, English, Gifford, Hyatt, Johnson, Lee, Niles, Noyes, Parrish, Rice, Sherrod, Staggs, Stein, Taggart, Turner, and Wolcott—19

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bonham, Brown, Church, Cullen, Hawk, Huey, Huffman, Jaquess, Lewis, Milligan, Newlin, Oyler, Reagan, Robinson, Terry, and Ward—18.

So the amendment was laid on the table.

The second amendment was adopted.

The third amendment was adopted.

The question being upon the adoption of the fourth amendment.

Mr. Bonham moved to amend the amendment by striking out all of section seven.

Pending which, Mr. Sherrod moved to lay the bill and amendments on the table.

The ayes and noes were demanded by Messrs. Sherrod and Turner.

Those who voted in the affirmative were,

Messrs. Barker, Bowman, English, Gifford, Hanna, Humphreys, Jaquess, Johnson, Lee, Parrish, Sherrod, and Turner—13.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bonham, Brown, Cason, Church,

Cravens, Houghton, Huey, Huffman, Hyatt, Lewis, Milligan, Niles, Noyes, Oyler, Reagan, Rice, Robinson, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—26.

So the motion to lay the bill and pending amendments on the table did not prevail.

The question recurring upon the amendment to the amendment.

Mr. Robinson moved to lay it on the table.

The ayes and noes were demanded by Messrs. Robinson and Bonham.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Cason, Carson, Church, Cravens, English, Gifford, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Oyler, Reagan, Rice, Robinson, Sherrod, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—32.

Those who voted in the negative were,

Messrs. Bonham, Brown, Cullen, Houghton, Jaquess, Parrish, and Staggs—7.

So the amendment to the amendment was laid on the table.

The question then being on the amendment reported by the Committee of the Whole Senate.

It was agreed to.

The fifth amendment was adopted.

The question being on the adoption of the sixth amendment.

The ayes and noes were demanded by Messrs. Cullen and Oyler.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Huey, Huffman,

Humphreys, Hyatt, Lee, Lewis, Milligan, Niles, Noyes, Reagan, Rice, Robinson, Taggart, Terry, Thompson, Ward, and Mr. President—29.

Those who voted in the negative were,

Messrs. Hanna, Houghton, Jaquess, Johnson, Newlin, Niles, Oyler, Parrish, Sherrod, Staggs, Stein, and Wolcott—11.

So the amendment was adopted.

The seventh amendment was adopted.

The question being on the adoption of the eighth amendment.

Mr. Cason moved to amend the amendment by inserting "may" between the words "and" and "be."

The ayes and noes were demanded by Messrs. Cason and Noyes.

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bowman, Brown, Cason, Cullen, English, Gifford, Houghton, Huey, Hyatt, Jaquess, Johnson, Lee, Newlin, Niles, Oyler, Parrish, Robinson, Staggs, Taggart, Terry, and Thompson—23.

Those who voted in the negative were,

Messrs. Armstrong, Bonham, Church, Cravens, Huffman, Humphreys, Lewis, Milligan, Noyes, Reagan, Rice, Sherrod, Stein, Turner, Ward, Wolcott, and Mr. President—17.

So the amendment to the amendment was agreed to.

The eighth amendment as amended was then adopted.

The ninth amendment was adopted.

The question being on the adoption of the tenth amendment.

Mr. Cason moved to amend by inserting the word "may" instead of the word "shall," before the words "be imprisoned."

Mr. Stein moved to lay the amendment and the amendment of Mr. Cason thereto on the table.

The ayes and noes were demanded by Messrs. Robinson and Cullen.

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bonham, Bowman, Cason, Cravens, English, Gifford, Houghton, Huffman, Hyatt, Jaquess, Johnson, Lee, Milligan, Newlin, Oyler, Parrish, Rice, Staggs, Stein, Taggart, Terry, Thompson, and Turner—25.

Those who voted in the negative were,

Messrs. Armstrong, Church, Huey, Humphreys, Lewis, Niles, Noyes, Reagan, Robinson, Ward, Wolcott, and Mr. President—12.

So the amendment and the amendment thereto were laid on the table.

The eleventh amendment was adopted.

Mr. Rice moved to amend the twelfth section as follows :

Amend by striking out the word "twenty," in the fifth line.

Mr. Terry moved to lay the amendment of Mr. Rice on the table.

The ayes and noes were demanded by Messrs. Church and Bonham.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Cason, Cravens, English, Gifford, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Milligan, Newlin, Oyler, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Bonham, Church, Houghton, Niles, Noyes, Parrish, Rice, Robinson, and Turner—9.

So the amendment was laid on the table.

Mr. Church moved to amend section twelve as follows :

Amend by striking out the word "twenty," and inserting "ten" in line five.

Mr. Stein moved to lay the amendment on the table.

Which was not agreed to.

The question recurring on the adoption of the amendment of Mr. Church, the ayes and noes were demanded by Messrs. Oyler and Church.

Those who voted in the affirmative were,

Messrs. Armstrong, Bonham, Bowman, Church, English, Gifford, Houghton, Huey, Huffman, Jaquess, Lee, Noyes, Parrish, Rice, Robinson, Sherrod, Staggs, Taggart, Terry, Thompson, and Mr. President—21.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Cravens, Humphreys, Hyatt, Johnson, Lewis, Milligan, Newlin, Niles, Oyler, Reagan, Stein, Ward, and Wolcott—15.

So the amendment was adopted.

The twelfth amendment was adopted.

The question being on the adoption of the thirteenth amendment, Mr. Cason moved to lay it on the table.

Which was agreed to.

The fourteenth amendment was adopted.

Mr. Oyler offered the following amendment to the bill :

Amend section one by striking out the word "intoxicating," in the second line, and insert in lieu thereof the words "distilled," and add the letter "s" to the word "liquor," and add, after the word "time," in the third line, the words "nor ale, beer, wine, or other malt or vinous liquors, by a less quantity than a quart at a time."

S. J.—30.

Strike out "intoxicating," in the first line of the third section, and insert in lieu thereof the word "distiller;" and after the word "sold," in the third line of said section, insert "or who shall hereafter sell any ale, beer, wine, or other malt or vinous liquors by a less quantity than a quart at a time, or who shall sell such last mentioned liquor by a larger quantity than a quart at a time, to be drank on the premises where sold.

Which was adopted.

Mr. Parrish moved to amend section fifteen by adding the following:

"And for which damages the party licensed, and his sureties as original parties to the action, shall be liable on the bond provided for in the fifth section of this act."

Mr. Stein moved to lay the amendment on the table.

Which was agreed to.

Mr. Robinson moved to amend the bill as follows:

Strike out "one hundred dollars," after the word "class," in the fourth line, section six, and insert "two hundred."

Which was not agreed to.

Mr. Wolcott moved to amend the fourth section as follows:

After the word "at," in the first line, strike out the words "such time," and insert in lieu thereof "any regular term thereof.

Which was agreed to.

Mr. Armstrong offered the following amendment to the bill:

Insert, in the proper place, "Provided, however, that such Board shall only grant license in those towns or townships where a majority of the voters shall have voted "license," at the annual township election next preceding such application for license.

Mr. Bonham moved to lay the amendment on the table.

The ayes and nays were demanded by Messrs. Armstrong and Ward.

Those who voted in the affirmative were,

Messrs. Bellamy, Bonham, Bowman, Brown, Cason, English, Gifford, Huey, Huffman, Lee, Newlin, Niles, Noyes, Oyler, Parrish, Rice, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Turner, Wolcott, and Mr. President—25.

Those who voted in the negative were,

Messrs. Armstrong, Church, Cravens, Houghton, Humphreys, Hyatt, Johnson, Lewis, Reagan, and Ward—10.

So the amendment was laid on the table.

On motion by Mr. Cason, it was ordered that the bill remain upon the files until the amendments are engrossed.

By unanimous consent of the Senate, the Order of Business was suspended, and

Mr. Cullen introduced

Senate bill No. 189. A bill to amend an act entitled "An act to provide for the collection and assessment of the real and personal property and the collection of taxes in the State of Indiana; for the election of Township Assessors and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State, and for the repeal of section one hundred and ninety-eight of said act," approved June 21, 1852.

Which was read a first time, and referred to the Committee on the Judiciary.

By the unanimous consent of the Senate, the Order of Business was suspended, and

Mr. Noyes introduced

Senate bill No. 190. A bill providing the amount of fees to be allowed County Treasurers for the collection of delinquent taxes and declaring an emergency.

Which was read a first time, and referred to the Committee on Finance.

By the unanimous consent of the Senate,

Senate bill No. 161, a bill to establish a House of Refuge for the correction and reformation of juvenile offenders,

Was taken up and read a second time, and ordered to be engrossed for a third reading on to-morrow.

The President laid before the Senate the following communication from the Governor :

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, February 14, 1867. }

HON. WILL CUMBACK,

President of the Senate :

SIR—I have just received Senate bill No. 5, entitled “An act to amend an act entitled an act to amend an act to fix the amount of the salary of the State Librarian and repealing all former laws conflicting therewith, and to dispense with the Assistant Librarian and Clerk,” approved March 4, 1859, and also increasing the powers and duties of the State Librarian, approved December 20, 1865.

The act thus presented to me, in its first section recites the third section of the act of December 20, 1865, and then proceeds to amend that section in a not very important particular.

The second section, which would seem to be the most important section in the bill, extends the office of the Librarian, and the subject matter of that section is, in my judgment, not expressed in the title of the bill, nor is it a matter properly connected with the subject expressed in the title. I therefore apprehend that the second section of the act, if approved, would be inoperative. I thought it best before acting upon the bill to make the suggestions to the Senate, through you, to the end that the bill might be recalled with a view to the amendments of its title, if such should be the pleasure of the Senate. If this should not be deemed the proper course by the Senate, I will in due time act upon the bill.

Respectfully, your obedient servant,

CONRAD BAKER,

Lieutenant Governor, Acting as Governor.

Mr. Oyler moved that the Governor be requested to return to the Senate the bill referred to in the foregoing communication.

Which was agreed to.

By unanimous consent of the Senate, the Order of Business was suspended.

Mr. Thompson introduced

Senate bill No. 191. A bill supplemental to an act entitled "An act for the incorporation of manufacturing and mining companies for mechanical, chemical and building purposes," approved May 20, 1852.

Which was read a first time, and referred to the Committee on Corporations.

By unanimous consent of the Senate, the Order of Business was suspended, and

Mr. Bellamy introduced Senate bill No. 192. A bill to amend section eleven of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Armstrong introduced

Senate bill No. 193. A bill to amend section twenty-eight of an act entitled an act defining felonies and prescribing penalties therefor, approved June 10, 1852.

Which was read a first time, and referred to the Committee on the Judiciary.

By unanimous consent of the Senate, the order of business was suspended.

Mr. Houghton introduced

Senate bill No. 194. A bill to amend an act entitled an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Bellamy moved that the vote by which Senate bill No. 161, a bill to establish a House of Refuge for the correction and reformation of juvenile offenders, was ordered to be engrossed for a third reading on to-morrow be reconsidered.

Which was agreed to.

Mr. Niles offered the following amendment to the bill :

Amend section twelve by adding thereto the following words :
“ If satisfied from evidence that such commitment ought to be made.”

Which was adopted, and the bill again ordered to be engrossed for a third reading on to-morrow.

On motion by Mr. Gifford, the Senate adjourned.

FRIDAY MORNING, 9 o'CLOCK, }
February 15, 1867.

The Senate met.

On motion by Mr. Bellamy, the reading of the Journal was dispensed with.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives to inform the Senate, that he has signed the following enrolled act of the Senate, to-wit :

Enrolled Senate Act No. 5, entitled an act to amend an act entitled an act to amend an act entitled an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian, and clerk, approved march 4, 1859, and also increasing the powers and duties of the State Librarian, approved December 20, 1865.

PETITIONS, MEMORIALS AND REMONSTRANCES.

The President laid before the Senate a petition from sundry citizens of Decatur county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

REPORTS FROM STANDING COMMITTEES.

Mr. Turner, from the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

The Committee to whom was referred Senate bill No. 169, entitled a bill to provide for official visitations and inspection of the Prisons

and Benevolent Institutions of the State, have had the same under consideration and direct me to report it back to the Senate with a recommendation that it pass.

Which was concurred in.

Mr. Huffman, from the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

The Committee, to whom was referred Senate bill No. 180, a bill to amend the twenty-third section of "An act for the government of the Hospital for the Insane, and for the care of the Insane of Indiana," have had the same under consideration, and directed me to report it back to the Senate with a recommendation that it pass.

Which report was concurred in.

RESOLUTIONS.

Mr. Humphreys introduced the following concurrent resolution :

WHEREAS, It is a fact, apparent to all persons, that many private soldiers, who were engaged in the late war against the South, and also the families of many deceased soldiers, are now in limited, if not destitute circumstances, and whereas, the law on the subject of bounties makes an unjust discrimination between persons entitled thereto, in regard to the amount of the same ; therefore,

Be it resolved by the Senate, the House concurring, That our Senators in Congress be instructed, and our Representatives be requested to use their influence to procure the passage of an act for the equalization of the bounties of all persons entitled thereto, under the provisions of any act of Congress on that subject.

Which was agreed to.

Ordered, That the Secretary inform the House thereof.

BILLS INTRODUCED.

Mr. Robinson introduced

Senate bill No. 195. A bill to cure defective or illegal bonds of executors, and administrators, and their surities.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Carson introduced

Senate bill No. 196. A bill authorizing the appointment of three commissioners to inquire into the condition of the finances of the State, and matters pertaining thereto; defining the powers and duties of such commissioners and State officers in relation thereto, and appertaining to the Legislative, Executive, and Judicial Departments of the Government of the State, State officers, and the management, and disbursement of the various funds of the State, and matters properly pertaining thereto.

Which was read a first time, and referred to the Committee on the Judiciary.

On motion by Mr. Oyler,

Senate bill No. 2. A bill to provide for the registry of voters, and to declare their residence, and to furnish fraudulent practices touching elections, and defining the duties of certain officers therein named, and providing compensation for the services of such officers.

And the amendments reported by a Committee of the whole Senate thereto,

Were taken from the table.

Mr. Oyler moved that the amendments be considered *seriatim*.

Which was agreed to.

Pending the question on the adoption of the first amendment reported by the Committee,

On motion by Mr. Cason, a call of Senate the was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names:

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, Gifford, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Noyes, Oyler, Parrish, Reagan, Rice, Robinson, Staggs, Stein, Taggart, Terry, Ward, Wolcott, and Mr. President—35.

On motion by Mr. Oyler the further call was dispensed with.

The question recurring on the adoption of the first amendment.

On motion by Mr. Bonham, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Cason, Carson, Church, Cullen, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—36.

On motion by Mr. Bonham, the further call was dispensed with.

The question again recurring on the adoption of the first amendment.

The ayes and noes were demanded by Messrs. Bonham and Oyler.

Those who voted in the affirmative were,

Messrs. Brown, Cason, Carson, Cullen, Gifford, Niles, Rice, Wolcott, and Mr. President—9.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Church, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Noyes, Oyler, Parrish, Reagan, Robinson, Sherrod, Staggs, Taggart, Terry, Thompson, Turner, and Ward—28.

So the amendment was not adopted.

Mr. Gifford moved to amend the bill by striking out "twenty" after the words "at least," in line four, section one, and insert "twelve."

Mr. Jaquess moved to amend the amendment by inserting "thirty" instead of "twelve."

Mr. Terry moved to lay the amendment and the amendment to the amendment on the table.

Which was agreed to.

The second amendment was adopted.

The third amendment was adopted.

The fourth amendment was adopted.

The fifth amendment was adopted.

The sixth amendment was adopted.

The seventh amendment was adopted.

The question being on the adoption of the eighth amendment reported by the Committee of the Whole Senate,

Mr. Oyler moved to amend the amendment as follows :

Add the words, " Except the name of the candidates, and the office for which they are voted for."

Mr. Bonham moved to lay the amendment and the amendment to the amendment on the table.

The ayes and noes were demanded by Messrs. Bonham and Oyler.

Those who voted in the affirmative were,

Messrs. Bellamy, Bonham, Brown, Cason, Church, Cullen, Hyatt, Lewis, Milligan, Noyes, Parrish, Reagan, Rice, and Mr. President—14.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Carson, Gifford, Hanna, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Oyler, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, and Wolcott—23.

So the motion to lay on the table did not prevail.

The question recurring on the adoption of the amendment to the amendment.

It was agreed to.

The question being on the adoption of the amendment as amended.

Mr. Bellamy moved to amend further as follows, by adding :

And no ticket shall be received that is not ten inches long and six inches wide.

Which was not agreed to.

Mr. Johnson moved further to amend by adding to section twenty-three the following :

Provided nothing herein shall disqualify the voter from writing his own name on the back thereof.

Which was agreed to.

The question being on the adoption of the amendment as amended.

It was agreed to.

Mr. Rice moved to amend the bill by adding the following section :

Section —. No person shall be entitled to be registered for any election in the State of Indiana who shall have voluntarily bore arms in the late rebellion against the Government of the United States.

Mr. Humphreys moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Noyes and Cullen

Those who voted in the affirmative were,

Messrs. Armstrong, Bowman, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Johnson, Lee, Oyler, Parrish, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Wolcott, and Mr. President—22.

Those who voted in the negative were,

Messrs. Bellamy, Bonham, Brown, Church, Cullen, Hyatt, Jaquess, Lewis, Milligan, Noyes, Reagan, Rice, and Ward—13.

So the amendment was laid on the table.

Mr. Oyler moved to consider the bill as engrossed, and that it be read a third time now.

Which was agreed to, and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Carson, Gifford, Hanna, Houghton, Huey, Humphreys, Johnson, Lee, Lewis, Milligan, Oyler, Parrish, Reagan, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Bonham, Brown, Church, Cullen, Huffman, Hyatt, Jaquess, Noyes, and Rice—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

The Secretary read the title of the bill, a bill to provide for the registry of voters and to declare their residence and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and providing compensation for the services of such officers.

Mr. Oyler moved to amend the title as follows:

Add after the word "named" the words "and the form of the ballots."

Which was agreed to.

By unanimous consent of the Senate,

The President laid before the Senate the following communication from the Governor:

To the Senate :

In pursuance of the resolution of the Senate passed on yesterday, I herewith respectfully return to the Senate enrolled act No. 5.

CONRAD BAKER.

The President laid before the Senate the following communication from the State Librarian :

OFFICE OF STATE LIBRARIAN, }
INDIANAPOLIS, February 15, 1867. }

To the President and Members of the Senate :

GENTLEMEN : My attention has been called to a resolution of the Senate, requesting that the portrait of Washington, now in the Library, be hung in a prominent and conspicuous place.

The tenor of the resolution would seem to imply, on my part, a want of veneration and respect for the memory of the Father of his Country. A word of explanation may be necessary to the portrait in question.

During the past few weeks we have loaned from the Library, with the consent of the State officers, many of our battle flags, portraits, etc., to decorate halls for anniversaries and public celebrations. Among these occasions were the National and State Conventions of the Grand Army of the Republic, a festival for the benefit of the widows and orphans of soldiers, the temperance festival, etc. When returned from such halls they were placed in the trophy room, where, temporarily, they were set aside. Had the author of the resolution referred to looked a little further, he would have found, also, the portraits of the lamented Lincoln, Grant, Sherman, Sheridan, and others, along with that of Washington, as they were all taken from the Library and returned at the same time.

We have many portraits, engravings, maps, etc., in the Library, for which we have no room, and hence I would invite the attention of Senators to that part of my report urging the necessity of more room in the Library Department.

The name of Washington I hold in grateful remembrance—was taught to lisp it in the early years of my childhood with a holy veneration. I also cherish for the memory of the martyred Lincoln a like feeling of love and respect, and if the one was the Father of his Country, the other was its Savior in the hour that tested the pure

gold of patriotism and loyalty. Both alike are entitled to the lasting gratitude of the millions who to-day are rejoicing the sunlight of freedom. The portrait can be found in its appropriate place.

I have deemed the foregoing explanation due to those who so generously supported me for a re-election to my present office, as well as to many of my Democratic friends, for whom I entertain, personally, sentiments of respect and esteem. All of which is respectfully submitted.

Yours, truly,

B. F. FOSTER,

State Librarian.

Which was referred to the Committee on the State Library.

Mr. Cullen asked and obtained leave of absence for Mr. Cason.

Mr. Oyler asked and obtained leave of absence for Mr. T. M. Browne, Assistant Secretary of the Senate.

Mr. Cullen was granted leave of absence.

Mr. Oyler was granted leave of absence.

On motion by Mr. Bonham, the Senate adjourned.

The Senate met.

TWO O'CLOCK, P. M.

Mr. Oyler, from the Committee on the State Library, made the following report:

MR. PRESIDENT:

The Committee on the State Library, to whom was referred Senate bill No. 5, an act to amend an act entitled "an act to amend an act

entitled 'an act to fix the amount of the salary of the State Librarian,' and repealing all former laws conflicting therewith, and to dispense with the Assistant Librarian and Clerk, approved March 4, 1859, and also increasing the powers and duties of the State Librarian, approved December 20, 1865," have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments :

Add to the title of the act, at the end thereof, the following :

"And supplemental section fixing the term of the State Librarian, and the time when the same shall commence," and when so amended they recommend the passage of the bill.

Which report was concurred in, and the amendment was adopted.

Mr. Oyler moved that Senate bill No. 5, contained in the foregoing report, be again put upon its passage.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Baker, Bellamy, Bonham, Bowman, Brown, Cason, Church, Cullen, Gifford, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—34.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

/By unanimous consent of the Senate, the order of business was suspended and the following bills introduced :

Mr. Cullen introduced

Senate bill No. 197. A bill supplemental to "an act regulating descents, and the apportionment of estates, approved May 14, 1852."

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Cullen introduced

Senate bill No. 198. A bill to amend sections twenty-five and eighty-eight of an act entitled an act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers, approved June 7, 1852, and to provide for jurisdiction and for collection of certain taxes in the territory aforesaid.

Which was read a first time, and referred to a Special Committee of two.

The President appointed Messrs. Newlin and Wolcott said committee.

Mr. Jaquess introduced

Senate bill No. 199. A bill to amend an act entitled an act declaratory of the law regulating marriage, and enforcing the provisions thereof by proper penalties.

Which was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Houghton, from the Committee on Public Buildings, made the following report :

MR. PRESIDENT :

The Committee on Public Buildings, to whom was referred sundry papers from the Joint Committee of the Senate on the subject of procuring suitable buildings for the use of the State officers, have had the same under consideration and directed me to make the following report :

We propose to lease the building on the corner of Tennessee and Market streets for the term of two years with the privilege of retaining it for six years, for the sum of four thousand dollars per annum. Said building is owned by W. P. & E. P. Gallup, and, in addition to the present building, they propose to erect a suitable fire proof room, twenty feet by sixty, to be used as a depository for stationery and records; also to make such alterations in the building as the Supreme Court may desire, should they sit there, without removing the brick partitions or permanently injuring the same.

S. J.—31

The committee are unanimous in their opinion that, for convenience, safety, and economy, this building is the best and cheapest that can be had in the city. They therefore recommend the passage of the following resolution :

Resolved, That the Auditor of State be directed to lease said building in compliance with the above report.

Which was concurred in.

On motion by Mr. Wolcott, the order of business was suspended and, Senate bill No. 46, a bill to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors ; to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof.

Was taken up and read a third time.

Pending the question on the passage of the bill,

On motion by Mr. Carson, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names.

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Carson, Church, Cullen, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Robinson, Staggs, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—36.

On motion by Mr. Carson, the further call of the Senate was dispensed with.

The question then being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bonham, Church, Cullen, Houghton, Hyatt, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Robinson, Stein, Terry, Thompson, Wolcott, and Mr. President—21.

Those who voted in the negative were,

Messrs. Barker, Bowman, Brown, Carson, Gifford, Hanna, Huey,

Huffman, Humphreys, Jaquess, Johnson, Lee, Newlin, Sherrod, Staggs, and Ward—16.

So the bill did not pass for want of a constitutional majority.

Mr. Oyler moved to suspend the order of business to enable him to offer a concurrent resolution.

Which was agreed to.

Mr. Oyler then offered the following concurrent resolution :

Be it resolved by the Senate, the House concurring therein, That the Auditor of State, be, and is hereby directed to lease the building on the corner of Tennessee and Market streets in the City of Indianapolis, for a term of two years, with the privilege of retaining the property for six years, at an annual rent of \$4,000. Provided, that W. P. and E. P. Gallup shall erect a suitable fire proof room twenty feet by sixty feet as a depository for records and stationery, and make such alterations in the building, as the Supreme Court shall desire, should they sit there, without removing the brick partition, or permanently injuring the same, the said building to be used for the offices of the State officers.

Mr. Hanna moved to refer the resolution to the select committee appointed to consider the necessity of renting suitable offices for the use of the State, with instructions to consider the validity of a lease, which by its terms has yet two years to run, entered into by, and between Joseph Ristine, Auditor of State, and George McQuat; and also to consider whether the entire building now occupied by the State officers cannot be rented for \$2,500 per annum.

Mr. Cullen moved to lay the motion to refer with instructions on the table.

The ayes and noes were demanded by Messrs. Hanna and Turner.

Those who voted in the affirmative were,

Messrs. Bellamy, Bonham, Brown, Church, Cullen, Gifford, Houghton, Hyatt, Jaquess, Lewis, Milligan, Noyes, Oyler, Reagan, Rice,

Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—22.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Carson, Hanna, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Staggs, and Turner—12.

So the motion was laid on the table.

The question then being, shall the concurrent resolution be adopted?

It was agreed to.

Ordered, That the Secretary inform the House thereof.

REPORTS FROM STANDING COMMITTEES.

Mr. Cullen, from the Committee on Canals and Internal Improvements, made the following report :

MR. PRESIDENT :

The Committee on Canals and Internal Improvements, to whom was referred Senate bill No. 142, "a bill to provide for the payment of certain moneys due from the State, to the firm of Moorhead, Hall & Co., and H. K. Wright and Jacob Barnes, and their assigns," have had the same under consideration, and direct me to report the same to the Senate, without amendment, and recommend its passage.

Which report was concurred in.

Mr. Noyes, from the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 55, a bill to amend sections five and eleven of an act entitled "An act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws in conflict with this act," approved February 18, 1859, have had the same under consideration,

and have directed me to report the same back to the Senate and recommend that it be indefinitely postponed.

Which report was concurred in, and the bill was indefinitely postponed.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The majority of the Judiciary Committee return to the Senate Senate bill No. 103, a bill to prevent persons from injuring or destroying insured property and from making false proof thereof, prescribing penalties for the same, recommending that an enacting clause be supplied as follows, "Be it enacted by the General Assembly of the State of Indiana."

Which report was concurred in.

Mr. Cullen moved to suspend the order of business and take up Senate bills on their third reading.

Which was agreed to.

SENATE BILLS ON THIRD READING.

Senate bill No. 14. A bill to establish a board of emigration for the purpose of encouraging emigration to the State of Indiana from the Eastern States of the United States and from the countries of Europe.

Was considered as engrossed, and read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

* Messrs. Armstrong, Barker, Bellamy, Bonham, Brown, Carson, Cullen, Gifford, Hyatt, Jaquess, Johnson, Milligan, Oyler, Parrish, Reagan, Rice, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—22.

Those who voted in the negative were,

Messrs. Church, Hanna, Houghton, Huey, Huffman, Humphreys, Lee, Noyes, Sherrod, Staggs, Taggart, Terry, and Turner—13.

So the bill did not pass for want of a constitutional majority.

Senate bill No. 161. A bill to establish a House of Refuge for the correction and reformation of juvenile offenders.

Was read a third time.

Pending the question on the passage of the bill on motion by Mr. Thompson, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Carson, Church, Cullen, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—39.

On motion by Mr. Thompson, the further call of the Senate was dispensed with.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Brown, Carson, Church, Cullen, Gifford, Houghton, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—29.

Those who voted in the negative were,

Messrs. Barker, Bowman, Huey, Huffman, Humphreys, Sherrod, Staggs, Taggart, and Turner—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 54, a bill authorizing the assessment of all the lands within one and one-half miles of the terminus of any plank, macadamized or gravel road, organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled an act authorizing the construction of plank, macadamized and gravel roads, approved May 12th, 1852, when the subscription of such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same and the collection of such assessment, provided' the lands are situated within the county in which such road is located.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Brown, Church, Cullen, Gifford, Houghton, Huey, Hyatt, Jaquess, Lee, Lewis, Newlin, Oyler, Parrish, Reagan, Rice, Robinson, Sherrod, Stein, Terry, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Bowman, Hanna, Noyes, Staggs, Taggart, Thompson, and Turner—7.

So the bill did not pass, no quorum voting.

By unanimous consent of the Senate the order of business was suspended, and,

Mr. Armstrong offered the following resolution :

Resolved, That when the Senate adjourns it will adjourn to meet on Monday next at 2 o'clock P. M.

Mr. Bellamy moved to lay the resolution on the table.

The ayes and noes were demanded by Messrs. Bellamy and Armstrong.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Carson, Church, Gifford, Hanna, Huey, Hyatt, Jaquess, Lewis, Milligan, Newlin, Niles, Noyes,

Oyler, Parrish, Reagan, Rice, Robinson, Sherrod, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—29.

Those who voted in the negative were,

Messrs. Bonham, Bowman, Brown, Cullen, Houghton, Huffman, Humphreys, Johnson, and Staggs—12.

So the resolution was laid on the table.

Mr. Robinson moved to take up and again put upon its passage, Senate bill No. 54.

Which was agreed to.

The question again being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Brown, Church, Houghton, Hyatt, Jaquess, Johnson, Lewis, Newlin, Niles, Oyler, Parrish, Reagan, Rice, Robinson, Stein, Ward, and Mr. President—21.

Those who voted in the negative were,

Messrs. Bowman, Carson, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Milligan, Noyes, Sherrod, Staggs, Taggart, Terry, Thompson, Turner, and Walcott—17.

So the bill did not pass for want of a constitutional majority.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Bonham offered the following resolution:

Resolved, That when the Senate adjourns, it will adjourn to meet on Monday at half past 2 o'clock P. M.

The question being on the adoption of the resolution.

The ayes and noes were demanded by Messrs. Thompson and Bonham.

Those who voted in the affirmative were,

Messrs. Bonham, Bowman, Brown, Church, Cullen, Gifford, Houghton, Huffman, Johnson, Lee, Lewis, Niles, Parrish, Reagan,

Robinson, Sherrod, Stein, Terry, Turner, Ward, and Mr. President—21.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Carson, Huey, Humphreys, Hyatt, Jaquess, Milligan, Newlin, Noyes, Oyler, Rice, Staggs, Taggart, Thompson, and Wolcott—17.

So the resolution was adopted.

A message from the House, by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has concurred in the action of the Senate, with reference to the amending of the title to Senate bill No. 5.

Mr. Parrish asked and obtained leave of absence, for Mr. Brown.

Mr. Carson was granted leave of absence.

Mr. Thompson asked and obtained leave of absence for Mr. Noyes,

Mr. Ward asked and obtained leave of absence for Mr. Armstrong.

Mr. Hanna asked and obtained leave of absence for Mr. Staggs.

Mr. Turner asked and obtained leave of absence for Mr. Lee.

On motion by Mr. Cullen, the Senate adjourned.

MONDAY AFTERNOON, 2½ o'clock, }
February 18, 1867. }

Senate met, pursuant to adjournment of Friday evening.

On motion by Mr. Bonham, the reading of the Journal was dispensed with.

Mr. Bellamy, from Committee on Enrolled Bills, made a report on Enrolled Senate Bill No. 5.

Which was concurred in.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Rice presented a petition from sundry citizens of Park county on the subject of Temperance.

Which was referred to the Committee on Temperance.

Mr. Jaquess presented a petition from the citizens of Posey county on the subject of Temperance.

Which was referred to the Committee on Temperance.

Mr. Terry presented the petition of members of the Bar of Fulton county, asking an extension of time for the holding of Common Pleas Court.

Which was referred to the Committee on Judiciary.

Mr. Taggart, from the Committee on Temperance, made the following report:

MR. PRESIDENT:

The Committee on Temperance, to whom was referred Senate bill No. 121, a bill to amend an act entitled an act to regulate and license the sale of spiritous, vinons, malt and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and providing penalties for the

violation therefor, approved March 5, 1859, have had the same under consideration and concur in many of the provisions of said bill ; but as the substantial provisions contained in said bill are incorporated in Senate bill No. 46, the committee have therefore instructed me to report the same back, and recommend that it do lie upon the table.

Which report was concurred in.

Mr. Rice, from the Committee on the Judiciary, to whom was referred Senate bill No. 130, entitled an act to amend the first section of an act entitled an act prohibiting Supreme, Circuit, or Common Pleas Judges, County Clerks, Auditors, Treasurers, Records, and their deputies, from practicing law in any of the courts of this State, except as in this act permitted, and prescribing punishment for violation thereof, approved March 10, 1865, have had the same under consideration and report the same back to the Senate, and recommend that the same be laid on the table.

Which report was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 106, a bill to amend section 103 of an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in criminal actions in this State, have had the same under consideration and direct me to report the bill back to the Senate with the recommendation that it lie on the table.

Which was concurred in.

Mr. Rice, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 137, a bill to amend section thirty-three of an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil action in the courts of this State ; to abolish distinct

forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practices without distinction between law and equity, have had the same under consideration and direct me to report it back to the Senate with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Vawter, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 150, a bill to amend section fourteen of an act entitled an act concerning promisory notes and bills of exchange, approved May 12, 1852, have had the same under consideration and direct me to report it back to the Senate with the recommendation that it lie on the table.

Which was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 151, a bill to amend the eleventh section of an act entitled "an act touching the relation of guardian and ward," approved June 9, 1852, and regulating suits on bonds of guardians removing from the State, have had the same under consideration, and direct me to report it back to the Senate and recommend its passage.

Which was concurred in.

Mr. Rice, from the Committee on the Judiciary, to whom was referred Senate bill No. 85, a bill to amend sections 13, 14, 15, 16, 17, and 18, of "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855, have had the same under consideration, and direct me to report the bill back to the Senate, with the recommendation that it do lie on the table.

Which report was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 4, entitled " a bill to amend section twenty of the act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855, have had the same under consideration, and direct me to report the bill back to the Senate, and recommend its passage.

Which report was concurred in.

Mr. Mason, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 185, " a bill to authorize Judges of Circuit Courts and Courts of Common Pleas to appoint receivers in vacation, and to make all orders in relation thereto ; to authorize such Judges to modify and dissolve injunctions, and to allow appeals therefrom, the same as is made by the Court in session, and to provide that an appeal from an injunction order shall not operate as a *supersedeas*," have had the same under consideration, and direct me to report it back to the Senate and recommend its passage.

Which report was concurred in.

Mr. Mason, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No 152, " a bill to legalize and make valid certain County Bonds, and to provide for the payment of the same," have had the same under consideration, and direct me to report it back to the Senate, and recommend its passage.

Which report was concurred in.

Mr. Mason, from the Committee on the Judiciary, to whom was referred Senate bill No. 72, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 72, entitled an act repealing an act entitled "an act providing for the redemption of real property, or any interest therein, sold at execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all acts in conflict therewith," approved June 4, 1861, have had the same under consideration and direct me to report it back to the Senate, with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Vawter, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom referred Senate bill No. 194, a bill to amend an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852, have had the same under consideration, and direct me to report it back to the Senate, with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Stein, from the Committee on the Judiciary, to whom was re-committed Senate bill No. 35, entitled an act to amend sections nineteen and twenty of an act entitled "an act defining felonies, and prescribing punishment therefor," approved June 10, 1852, defining the offenses of grand and petit larceny, and prescribing the punishment therefor, have had the same under consideration, and direct me to report it back to the Senate, without amendment, and recommend its passage.

Which report was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 192, a bill to amend section eleven of an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1865, have had the same under consideration and now report it back to the Senate, with the recommendation that it lie on the table.

Which report was not concurred in.

Mr. Mason, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 17, "a bill in relation to conveyances of land by persons of unsound mind," have had the same under consideration, and direct me to report the same back to the Senate, and recommend its passage.

Which report was concurred in.

A message from the House, by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed the following enrolled Senate act, to-wit :

. Enrolled Senate act No. 5, entitled an act to amend an act entitled an act to amend an act entitled an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian and Clerk, approved March 4, 1859, and also increasing the powers and duties of the State Librarian, approved December 20, 1865, and supplemental section fixing the term of office of the State Librarian, and the time when the same shall commence.

BILLS INTRODUCED.

Mr. Bonham introduced

Senate bill No. 200. Entitled "A bill to legalize the action of Thomas B. McCarty, Auditor of State, in settling and saving to the State of Indiana \$2,262.08, occasioned by the defalcation of the Treasurer of Pulaski county, on account of the Swamp Land Fund, and authorizing him to dispose of certain lands acquired thereby for the benefit of the State."

Which was read a first time, and referred to the Committee on Finance.

Mr. Jaquess introduced

Senate bill No. 201. A bill authorizing the sale of a tract of land in the city of Evansville, the title whereof is vested in the State of Indiana, and providing for a conveyance from the State to the purchaser thereof.

Which was read a first time, and referred to a special committee of three.

The President appointed Messrs. Hanna, Jaquess and Stein said committee.

Mr. Hanna introduced

Senate bill 202. "A bill for the relief of Lucius H. Scott, John Law, William H. Lane and John A. Ristry."

Which was read a first time, and referred to a special committee of three.

The President appointed Messrs. Hanna, Jaquess and Stein said committee.

Mr. Terry introduced

Senate bill No. 203. A bill extending the time for holding the Common Pleas Court in the county of Fulton and repealing all laws inconsistent herewith.

Which was read a first time, and referred to a special committee of three.

The President appointed Messrs. Terry, Parrish and Vawter said special committee.

Mr. Johnson introduced

Senate bill 204. A bill to amend section 104 of an act entitled "An act to amend sections 78, 79, 94, 95, 104, 142 and 143, of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors and prescribing the duties of Assessors, Appraisers of real property, County Auditors and Treasurers and of the Treasurer and Auditor of State," approved June 21, 1852, and to repeal an act entitled "An act to amend the one hundred and forty-third section of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors and prescribing the duties of Assessors and Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1851, approved March 4, 1859, approved May 31, 1861.

Which was read a first time, and referred to the Committee on County and Township Business.

Mr. Rice introduced

Senate bill 205. Entitled an act to amend section one hundred and thirty-two of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Stein introduced

Senate bill No. 206. A bill creating the Twenty-Second Common Pleas District, and making provisions therefor, and repealing all conflicting laws.

Which was read a first time, and on motion by Mr. Stein referred
S. J.—32.

to a special committee consisting of the Senators from the proposed Judicial District.

The President appointed Messrs. Stein, Wolcott, Armstrong, Milligan, Rice and Newlin said special committee.

Mr. Wolcott introduced

Senate bill No. 207. "A bill requiring certain officers of the State to make reports, and providing for the publication thereof."

Which was read a first time, and referred to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE.

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit :

Engrossed House bill No. 54, entitled "a bill concerning the organization and perpetuity of voluntary associations, and repealing an act entitled an act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 12, 1855, and repealing each act repealed by said act, and authorizing gifts or devises by will, to be made to any corporation or purpose contemplated by this act,

And House bill No. 54, therein contained, was read a first time.

Mr. Hanna moved to suspend the rules, and read the bill a second time now.

Pending which, on motion by Mr. Hanna, a call of the Senate was ordered.

The Secretary proceeded to the call, and

The following Senators answered to their names :

Messrs. Barker, Bellamy, Bonham, Bowman, Brown, Cason, Church, Cravens, Hanna, Houghton, Huey, Huffman, Humphreys,

Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Parrish, Rice, Richmond, Robinson, Stein, Taggart, Terry, Turner, Vawter, Wolcott, and Mr. President—33.

On motion by Mr. Hanna, the further call of the Senate was dispensed with.

Mr. Milligan moved that the Senate do now adjourn.

Which was not agreed to.

On motion by Mr. Richmond, a call of the Senate was ordered.

The Secretary proceeded to the call, and

The following Senators answered to their names :

Messrs. Barker, Bellamy, Bonham, Bowman, Brown, Cason, Church, Cravens, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Parrish, Rice, Richmond, Robinson, Stein, Taggart, Terry, Turner, Vawter, Wolcott, and Mr. President—33.

On motion by Mr. Bellamy, the Senate adjourned.

TUESDAY MORNING, 9 o'CLOCK, }
February 19, 1867. }

The Senate met.

The proceedings under the call, pending at adjournment, were continued.

On motion, the roll was again called.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Hanna, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Rice, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Turner, Wolcott, and Mr. President—34.

On motion by Mr. Brown, the further call of the Senate was dispensed with.

On motion by Mr. Bellamy, the reading of the Journal was dispensed with.

The question recurring on Mr. Hanna's motion to suspend the rules and read House bill No. 54 a third time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Reagan, Rice, Sherrod, Smith, Staggs, Stein, Taggart, Turner, Wolcott, and Mr. President—34.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Rice, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Turner, Wolcott, and Mr. President—34.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Bennett moved to suspend the rules and read

House bill No. 181, "a bill to amend an act entitled an act approved March 11, 1861, being to amend an act entitled an act authorizing County Agricultural Societies to purchase and hold real estate, approved February 7th, 1855, and to authorize such societies to issue capital stock and confirm and ratify all purchases of real estate made by any agricultural and mechanical society under their by-laws, not exceeding eighty acres of land,"

A third time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Turner, Wolcott, and Mr. President—37.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Turner, Wolcott, and Mr. President—36.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

REPORTS FROM SELECT COMMITTEES.

Mr. Stein, Chairman of a Select Committee, made the following report :

MR. PRESIDENT :

The Special Committee to whom was referred Senate bill No. 206, a bill creating the Twenty-Second Common Pleas District, and making provisions therefor, and repealing all conflicting laws, have had the same under consideration, and have instructed me to report the same back to the Senate with a recommendation that said bill do pass.

Which report was concurred in.

Mr. Stein moved to suspend the order of business and read the bill contained in the foregoing report a second time now.

Which was agreed to, and the bill was read a second time and ordered to be engrossed for a third reading on to-morrow.

Mr. Parish, from a Special Committee, made the following report :

MR. PRESIDENT :

The Special Committee, to whom was referred Senate bill No. 203, a bill extending the time for holding the Common Pleas Court in the county of Fulton, and repealing all laws inconsistent therewith, have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that it do pass.

Which report was concurred in.

BILLS INTRODUCED.

Mr. Niles introduced

Senate bill No. 208. A bill to amend an act entitled an act defining misdemeanors and prescribing punishment therefor, approved June 14, 1852; approved February 19, 1857.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Niles introduced

Senate bill No. 209. A bill to authorize Clerks of the Circuit Courts and Courts of Common Pleas to grant injunctions, and to issue writs of *habeas corpus*, and to hear and try the same, and to provide for the trial thereof before the Judge, and to authorize appeal from such injunction orders.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Bennett introduced

Senate bill No. 210. A bill to amend the second section of an act entitled an act supplemental to an act to regulate and license the sale of spiritous, vinous, malt and other intoxicating liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof, approved March 5, 1859; providing for appeals in the case of persons applying for license to sell intoxicating liquors, and for those remonstrating against such applications under the provisions thereof, and to make a trial by jury in suits in relation thereto final, and authorizing appeals to the Supreme Court.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Stein introduced

Senate bill No. 211. A bill to amend an act entitled an act to amend section 352 of an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852; approved March 9, 1861.

Which was read a first time, and referred to the Committee on Judiciary.

On motion by Mr. Wolcott, the order of business was suspended, and

The Senate resolved itself into a Committee of the Whole, Mr. Richmond in the chair, with

House bill No. 190, a bill to raise revenue for State purposes for the years 1867 and 1868, under consideration.

After some time spent in the consideration of the subject, the Committee rose and, through its Chairman, made the following report :

MR. PRESIDENT :

The Committee of the Whole Senate, to whom was referred House bill No. 190, have had the same under consideration and direct me to report it back to the Senate, without amendment, and recommend its passage.

Which report was concurred in.

House bill No. 190 was then read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cravens, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Rice, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Turner, Wolcott, and Mr. President—37.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hanna moved to suspend the order of business, and read

Senate bill 182—a bill to amend section eleven of an act entitled

"An act to provide compensation to the owners of animals killed or injured by the cars, locomotives, or other carriages of any railroad company in the State," approved March 1, 1853, repealing all laws in conflict therewith and declaring an emergency—a second time now.

Which was agreed to.

And Senate bill No. 182 was read a second time, and ordered to be engrossed for a third reading on to-morrow.

MESSAGES FROM THE HOUSE.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit :

Engrossed House bill No. 244. "A bill districting the State for Judicial Circuits and providing that Judges and Prosecuting Attorneys of Circuits, as heretofore existing, shall be Judges and Prosecuting Attorneys of the Circuits in which the county where they reside is situated under this act, and providing for filling vacancies in said offices."

Engrossed House bill No. 96. "A bill authorizing the Board of Trustees of incorporated towns to establish fire limits, and to prevent the erection of wooden buildings within such limits."

Also, engrossed Senate bill No. 5. Entitled a bill to amend an act entitled "An act to amend an act entitled an act to fix the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian and Clerk," approved March 4, 1859, and also increasing the powers and duties of the State Librarian.

Also, engrossed House bill No. 148. A bill to amend the first section of an act entitled "An act for the protection of sidewalks in towns and villages and for the preservation of shade trees planted along the same," approved March 3, 1859, so as to protect sidewalks outside of towns and villages.

Engrossed House bill No. 48. A bill in relation to the change of public highways.

Engrossed House bill No. 99. A bill to empower the Board of County Commissioners of the several counties of this State to convey cemeteries to incorporated towns and cities.

Engrossed House bill No. 101. A bill to amend the act entitled "An act to amend the act entitled an act authorizing the construction of plank, macadamized and gravel roads, and to empower the same to make sale of a portion of their roads," approved February 28, 1855.

Engrossed House bill No. 91. A bill vacating portions of Highways located on county lines, in cases therein specified.

Also, Engrossed House bill No. 63. A bill to amend section 11, of an act entitled, "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.

Also, Engrossed House bill No. 107. A bill to amend section 21, of an act entitled, "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.

Also, Engrossed House bill No. 181. A bill to amend an act entitled "an act, approved March 11, 1861, being to amend an act entitled, "an act authorizing county agricultural societies to purchase and hold real estate," approved February 7, 1855, and to authorize such societies to issue capitol stock, and to confirm and ratify all purchases of real estate made by any agricultural and mechanical society under their by-laws, not exceeding eighty acres of land, and to extend the benefits of said act to horticultural societies.

Also, Engrossed House bill No. 158. A bill in relation to the compounding and concealing of crimes, and the compounding of prosecutions; prescribing penalties therefor.

I am further directed by the House of Representatives, to inform the Senate that the House has passed the following engrossed bills thereof, to-wit:

Engrossed House bill No. 77, entitled "a bill to increase the salaries of the Prosecuting Attorneys of the Criminal Circuit Courts,

and providing for the payment of the increase, out of the proper county treasuries."

Engrossed House bill No. 177, entitled "a bill to amend the third section of an act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights, and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith and repealing certain acts therein specified," approved December 20, 1865.

Engrossed Joint Resolution of House of Representatives No. 11, entitled "a joint resolution instructing our Senators, and requesting our Representatives in Congress to secure the passage of a law placing the surviving soldiers of the war of 1812 (who have not received any pension from the Government) upon the pension rolls.

ORDERS OF THE DAY.

HOUSE BILLS ON FIRST READING.

House bill No. 96. A bill authorizing the Board of Trustees of incorporated towns to establish fire limits, and to prevent the erection of wooden buildings within such limits.

Read a first time, and passed to a second reading on to-morrow.

House bill No. 244. A bill districting the State for Judicial Circuits, and providing that Judges and Prosecuting Attorneys of Circuits, as heretofore existing shall be Judges, and Prosecuting Attorneys of the Circuits in which the county where they reside is situate under this act, and providing for filling vacancies in said offices.

Which was read a first time, and referred to the Committee on the Organization of Courts.

House bill No. 48. "A bill in relation to the change of Public Highways."

Was read a first time, and referred to the Committee on Roads.

House bill No. 63. A bill to amend section eleven of an act entitled "an act defining misdemeanors, and prescribing the punishment therefor," approved June 14th, 1852.

Was read a first time, and referred to the Committee on the Judiciary.

House bill No. 91. A bill vacating portions of Highways located on county lines, in cases therein specified.

Was read a first time, and referred to the Committee on the Judiciary.

“Engrossed House bill No. 99. A bill to empower the Board of County Commissioners of the several counties of this State to convey cemeteries to incorporated towns and cities.”

Was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

House bill No. 101. A bill to amend the act entitled an act to amend the act entitled “an act authorizing the construction of plank, macadamized, and gravel roads, and to empower the same to make sale of a portion of their roads,” approved February 28, 1855.

Was read a first time, and referred to the Committee on Roads.

House bill No. 107. A bill to amend section twenty-one of an act entitled “an act defining misdemeanors, and prescribing punishment therefor,” approved June 14, 1852.

Was read a first time, and referred to the Committee on the Judiciary.

House bill No. 148. A bill to amend the first section of an act entitled “an act for the protection of sidewalks in towns and villages, and for the preservation of shade trees planted along the same,” approved March 3, 1859, so as to protect sidewalks outside of towns and villages.

Was read a first time, and referred to the Committee on Rights and Privileges of the Inhabitants of this State.

House bill No. 158. A bill in relation to the compounding and concealing of crimes, and the compounding of prosecutions and prescribing penalties therefor.

Was read a first time, and referred to the Committee on the Judiciary.

House bill No. 77. A bill to increase the salaries of the Prose-

cuting Attorneys of the Criminal Circuit Courts, and providing for the payment of the increase out of the proper County Treasuries.

Was read a first time, and referred to the Committee on the Judiciary.

House bill No. 177. A bill to amend the third section of an act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified," approved December 20, 1865.

Was read a first time, and referred to the Committee on Corporations.

HOUSE JOINT RESOLUTIONS.

House Joint Resolution No. 11. A joint resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a law placing the surviving soldiers of the war of 1812 (who have not received any pension from the Government) upon the pension roll.

Was read a first time, and referred to the Committee on Federal Relations.

MESSAGES FROM THE HOUSE.

The following messages from the House were taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution, in which the concurrence of the Senate is respectfully requested:

Resolved, by the House of Representatives, the Senate concurring herein, That the Attorney General of the State be, and he hereby is instructed to investigate the unauthorized and unlawful expenditures of money made by the Warder and Directors of the State Prison North, referred to in the report of the Committee on said Prison, ac-

accompanied by this resolution, and, if in his judgment such suits can be maintained, to institute and prosecute suits for the recovery of the sums so unlawfully expended.

Which was concurred in.

Also, the following message from the House :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution in which the concurrence of the Senate is respectfully requested :

Resolved, That a special committee, to consist of two members on the part of the Senate and three on the part of the House, be appointed, to whom shall be referred the message of the Governor on the subject of the Lincoln Monument, and that the Speaker has appointed Messrs. Stewart, Stackhouse and Higgins on such committee on the part of the House.

Which resolution was concurred in, and the President appointed Messrs. Milligan and Smith such committee on the part of the Senate.

The following message from the Governor, by John M. Commons, his Private Secretary, was taken up and referred to the foregoing Special Joint Committee :

MR. PRESIDENT :

I am directed by Governor Baker to transmit herewith a message from His Excellency, accompanied with a copy of a communication from the Governor of Illinois and copy of a memorial in relation to the National Lincoln Monument.

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, January 13, 1867. }

To the Senate and House of Representatives :

I have just received from His Excellency, the Governor of Illinois, a communication transmitting a memorial of the members of the

"National Lincoln Monument Association," addressed to the General Assembly of the State of Indiana, asking the aid of this State in carrying forward to completion the great and patriotic duty which they have undertaken.

I herewith transmit a copy of the memorial, together with a copy of the accompanying communication of Governor Oglesby, and recommend the subject to your earnest and favorable consideration.

CONRAD BAKER,
Lieutenant Governor of Indiana,
Acting as Governor.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT, }
SPRINGFIELD, February 2, 1867. }

To His Excellency, Governor Baker, Governor of Indiana:

DEAR SIR—I am directed by the National Lincoln Monument Association to address you upon this subject, and take the liberty respectfully to invite your attention to the enclosed memorial, and to request that you lay the same before the Legislature of your State now in session, with such recommendation as you may feel the importance of the subject requires, and your own views may permit. After nearly two years of continued efforts to secure the necessary means to build a monument over the remains of Mr. Lincoln by private subscription and donations, we feel satisfied that we have reached nearly the full amount that may be expected from these sources, and that a public duty, next to our obligations to the memory of this great and good man, requires us to directly appeal to the several loyal States through their Legislatures, to aid the Association in securing what is believed will be the necessary sum to build an appropriate and suitable National Monument over his remains.

The State of Illinois has responded to our memorial and petition by granting an appropriation of fifty thousand dollars. We have in the hands of our Treasurer, invested in interest bearing national securities, donated by private subscription, after the payment of all expenses, seventy-five thousand dollars. We believe we will hardly be justified in attempting to build a monument for the purpose stated that will cost less than \$250,000. We have at present but one half of this amount. We are not without hope that the Legislature of your State may feel disposed to approve our action, and the conclusion at which we have arrived, and to aid our Association by such

an appropriation as shall encourage us to hope that the laudable object we have in view is not to fail, but is to be supported by that just and liberal public opinion, which, during his administration, so cheerfully supported him.

I shall be most happy to afford you any information you may desire about the history of the organization and action of our Association, and shall be much pleased to receive either from yourself, or from the Legislature of your State, any suggestions in reference to this subject.

Very respectfully, your obedient servant,

R. J. OGLESBY, *Governor.*

MEMORIAL.

To the Honorable the Senate and House of Representatives of the State of Indiana :

Your memorialists, members of the National Lincoln Monument Association, would most respectfully solicit your attention to the accompanying articles of association and memorial, which they have had the honor to submit to the General Assembly of the State of Illinois, now in session.

The Legislature of Illinois has appropriated the sum of fifty thousand dollars, in furtherance of the objects of the Association. But a much larger amount, in the opinion of your memorialists, and, as they believe, in the judgment of the great body of the loyal American people, will be required to build a monument commensurate with the dignity and grandeur of the objects and aims contemplated by the Association.

In order, therefore, to impart to this enterprise that truly national character which we think it ought to assume, we respectfully ask the aid of your great State in rearing such a monument to the memory of Abraham Lincoln as will be worthy of his public services and fame, and as shall truly represent the love and reverence of the American people for the immortal principles of liberty and justice, which ever found in him so able and fearless an advocate, and for his fidelity to which he lost his life.

RICHARD J. OGLESBY,
ORLIN H. MINOR,
JOHN T. STUART,
JESSE K. DUBOIS,
JAMES C. CONKLING,
JOHN WILLIAMS,
JACOB BUNN,

SHARON TYNDALE,
NEWTON BATEMAN,
S. H. TREAT,
O. M. HATCH,
S. H. MELVIN,
JAMES H. BEVERIDGE,
THOMAS J. DENNIS,

DAVID L. PHILLIPS.

A message from the Governor, by John M. Commons, his Private Secretary :

MR. PRESIDENT :

I am directed by Governor Baker to transmit herewith a message recommending the passage of a statute to regulate the arrest and surrender of fugitives from justice from other States and Territories.

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, Feb. 18, 1867. }

To the Senate and House of Representatives :

A case has very recently occurred, under the act of Congress providing for the rendition of fugitives from justice, which shows the necessity of State legislation on that subject.

On the seventh day of the present month an agent of the Governor of Mississippi presented to me a requisition for Daniel Harrison, *alias* J. W. Smith, charged with the crime of burglary and robbery, alleged to have been committed at the town of Macon, in the county of Noxubee, in the State of Mississippi, on the night of the first day of January, 1867. The requisition and accompanying papers were in strict compliance with the act of Congress of 1793.

I considered the question, whether the Executive authority of one of the States lately in rebellion should be held as competent to make a requisition so long as the legality of the government of such State remains unrecognized by the Congress of the United States. The conclusion to which I came was, that as the Executive Department of this State had already in several instances found it necessary to make requisitions for fugitives from justice upon the acting Governors of States lately in rebellion, the necessities of the case required that if these Governors were competent to respond to a requisition from the Executive of this State, they must be held to be competent to make such requisitions. I accordingly issued a warrant for the alleged fugitive in the usual form, directing his arrest and delivery to the agent of the Governor of Mississippi named in the requisition, and authorizing his removal to that State to answer the charge.

On the twelfth instant, Daniel Harrison, of Pike county, in this State, was arrested at Evansville, Indiana, by virtue of the warrant, and confined in the Vanderburgh county jail. He alleged, as I am informed, at the time of his arrest, that he was at his home in Pike

county, Indiana, at the very time when the crime of which he is accused was charged to have been committed, and that in point of fact he had never been in the State of Mississippi.

Steps were taken at Evansville to procure a writ of *habeas corpus* for Mr. Harrison with a view to his discharge, but before the writ could be issued he was hurried across the river into the State of Kentucky, and, as I suppose, taken to the State of Mississippi.

I am now informed by the Senator from Pike county, and by other respectable and reliable citizens of the same county, that Mr. Harrison was at his home in Pike county on the very day the burglary and robbery is charged to have been committed in the State of Mississippi. This being true, it is manifest, either that the case is one of mistaken identity, or that Mr. Harrison has been made the victim of conspiracy and perjury. Steps have been taken which, it is believed, will result in his protection and a speedy release; but the fact that such an outrage can be perpetrated upon the rights of a citizen under the forms of law, shows the imperative necessity of legislation on the subject.

I therefore respectfully recommend the passage of a statute similar to one which has, for several years, existed in the State of Kentucky, providing that upon the demand of the Executive authority of any State or Territory of the United States, made upon the Governor of this State to surrender a fugitive from justice from said State or Territory, pursuant to the Constitution and laws of the United States, he shall issue his warrant to any sheriff or constable of any county within this State, commanding him to apprehend such alleged fugitive and bring him before some Judge of a Circuit or Common Pleas Court of this State, and making it the duty of such Judge to proceed by the examination of witnesses, to ascertain if the person apprehended be the fugitive demanded and mentioned in the warrant of the Governor, and also making it the further duty of such Judge, if satisfied of the identity of such person, to order him to be delivered up to the agent of the State or Territory demanding him, to be transported to said State or Territory, agreeably to the laws of the United States; otherwise, to be discharged from custody.

Whilst no attempt should be made to impair or evade the duties of this State under the Constitution and laws of the United States, it is our manifest duty to protect our own citizens from the repetition of such outrages as the one which has given occasion for this communication. This is especially true, when it is considered, that whilst the

Constitution and laws of the United States impose the duty of surrendering fugitives from justice, they fail to prescribe the manner in which that duty shall be performed.

Without wishing to dictate the particular form which the legislation recommended should assume, as the session of the General Assembly is near its close, I have taken the liberty of drafting a bill, embodying the provisions hereinbefore recommended, and herewith respectfully submit the same for your consideration.

CONRAD BAKER.

On motion, the order of business was suspended, and Mr. Niles introduced

Senate bill No. 212. A bill to regulate the arrest and surrender of fugitives from justice from other States and Territories.

Which was read a first time.

Mr. Turner moved to suspend the rules and read the bill a third time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Cason, Church, Cravens, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Rice, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Turner, Wolcott, and Mr. President—37.

No Senator voting in the negative.

So the rules were suspended and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin,

Niles, Parrish, Reagan, Rice, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Turner, Wolcott, and Mr. President—37.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

SENATE BILLS ON SECOND READING.

Senate bill No. 79. A bill providing for the incorporation of Electric Telegraph Companies.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 115. A bill entitled an act to provide by law for draining and ditching low, wet and overflowed lands in the State of Indiana.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 116. An act to amend sections 18 and 25 of an act entitled "An act for the government of the Indiana Hospital for the Insane and the care of the Insane of Indiana," approved January 15, 1862.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 41. A bill to authorize incorporated towns and townships to subscribe for, purchase and hold stocks, and make donations to turnpike, plank road, railway, and slackwater navigation companies, and matters properly connected therewith, and declaring an emergency.

Was read a second time.

Mr. Niles moved to recommit to the Committee on the Judiciary, with the following instructions:

"To inquire and report whether townships can have power under the Constitution to incur liabilities such as are contemplated in this bill, and to amend by providing that no moneys or lands be issued or

paid unless the work contemplated be completed within four years from the date of first signing of the petition."

The ayes and noes were demanded by Messrs. Church and Wolcott.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, Hanna, Houghton, Huffman, Humphreys, Hyatt, Lee, Milligan, Niles, Sherrod, Smith, Taggart, Terry, and Mr. President—17.

Those who voted in the negative were,

Messrs. Barker, Bennett, Bonham, Church, Cravens, Huey, Jaquess, Johnson, Newlin, Noyes, Parrish, Reagan, Richmond, Robinson, Staggs, Stein, and Wolcott—18.

So the motion to recommit with instructions did not prevail.

On motion, the bill was ordered to be engrossed for a third reading on to-morrow.

On motion by Mr. Cumback, the order of business was suspended and the following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit:

Engrossed House bill 293, entitled "a bill to fix the time of holding the Circuit Courts in the Fifth Judicial Circuit, prescribing the length of the terms thereof, and repealing all laws in conflict herewith."

House bill No. 293, contained in the foregoing message, was read a first time.

Mr. Cumback moved to suspend the rules and read the bill the third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Wolcott, and Mr. President—35.

Mr. Staggs voting voting in the negative.

So the rules were suspended and the bill read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Hanna, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Noyes, Parrish, Reagan, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Wolcott, and Mr. President—34.

Mr. Humphreys voted in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 125. A bill to declare abandoned certain unfinished railroads, and to provide for their completion; to declare forfeited the franchise of certain railroad companies, and for the assessment of the value thereof; for the organization of new companies and for making annual statements.

Was read a second time.

Mr. Stein moved to amend as follows:

Amend section seven by adding the following:

Provided, however, That nothing in this act contained shall be regarded as a recognition of the right of two or more railroad companies to consolidate by voluntary agreement.

Which was agreed to.

On motion, it was ordered that the bill be engrossed for a third reading on to-morrow.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 19, 1867. }

Hon. Will Cumback, President of the Senate :

SIR: Please present the compliments of myself and Mrs. Baker to the members of the Senate and its officers, and invite them and their families to be present at a reception to be given at our residence, No. 149 North Pennsylvania street, on Friday evening, the 22d instant, commencing at seven and a half o'clock.

Very respectfully,
CONRAD BAKER.

A message from the Governor, by Captain Commons, his Private Secretary :

MR. PRESIDENT :

I am directed by Governor Baker to inform your honorable body that he has approved and signed Enrolled act No. 5, an act to amend an act entitled an act to amend an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian and Clerk, approved March 4, 1859, and also increasing the powers and duties of the State Librarian, approved December, 20, 1865, and supplemental section fixing the term of office of the State Librarian, and the time when the same shall commence, and that the same has been deposited in the office of the Secretary of State.

On motion by Mr. Richmond, the order of business was suspended, and

Senate bill No. 54, a bill authorizing the assessment of all the lands within one and one-half miles of the terminus of any plank road, macadamized, or gravel road, organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled an act authorizing the construction of plank, macadamized, and gravel roads, approved May 12, 1852, when the subscription to such road amounts

to eight hundred dollars per mile and is not sufficient for the completion of the same, and the collection of such assessment, provided the lands are situated within the county in which said road is located.

Was taken up.

The question being, shall the bill pass?

Pending the call of the roll,

On motion by Mr. Bennett, the Senate took a recess until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

The Senate met.

The call of the roll on the passage of Senate bill No. 54 was continued.

Those who vote in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Brown, Church, Cravens, Hanna, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Noyes, Parrish, Reagan, Richmond, Robinson, Sherrod, Staggs, Stein, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Bowman, Howk, Humphreys, Milligan, Smith, Terry, and Taggart—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Bellamy,

Senate bill No. 192, a bill to amend section eleven of an act en-

titled an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1865.

Was taken from the table, and read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 114. A bill to amend an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and adding supplemental sections thereto.

Was read a second time.

Mr. Bellamy offered the following amendments:

Amend section one by striking out, commencing in the thirty-first line, immediately after the words Trustees, the following words to-wit:

"Who shall, before entering upon the duties of their office, take and subscribe an oath and give bond similar to the oath and bond required of Township Trustees and," and insert the following in lieu thereof:

"Who shall constitute the School Board of the City or Town, and before entering upon the duties of their office, take and subscribe an oath faithfully to discharge the duties thereof."

They shall elect one of their number Treasurer, and may elect one of their number President, and one as Clerk.

The Treasurer before entering upon duties of his office shall execute a bond to the acceptance of the County Auditor conditioned as in ordinary official bonds, with at least two sufficient freehold surities, who shall not be members of said Board, in a sum not less than double the amount which may come into his hands in any one year by virtue of his office. The other members of the Board shall each give bond with like surities, to be approved by the County Auditor in any sum not less than one-third of the amount of the Treasurer's bond. Said Board shall have power to employ a superintendent for their schools, whose salary shall be paid from the special school revenue, and prescribe his duties and direct in the discharge thereof.

Amend by adding to the section the following :

In case a vacancy shall occur in said office, it shall be filled by the City Council or Township Trustees.

Amend section two by striking out the words "any such," in the second line immediately before the word Township, and by striking out the word "Township" in the seventh line of the amended section.

Which amendments were adopted.

Mr. Bellamy offered the following amendment:

Amend section seven by adding to the amended section the following :

"In addition to which the parent or guardian of such pupil shall pay to the Trustee or Trustees of the school corporation in which such pupil is admitted such an additional sum as may be agreed upon by the parties."

Which amendment was not adopted.

Mr. Bellamy offered the following amendment:

Amend by striking out the words beginning in the twelfth line of section fifteen, "that such teacher shall hold a valid license from the proper State and County authority."

Which was not adopted.

Mr. Bellamy offered the following substitute for section 16 :

1. The State Board of Education shall examine and select a series of Text Books in the following branches: orthography, reading, writing, arithmetic, geography, English grammar, physiology, History of the United States, and History of the State of Indiana, and submit on or before the first day of June, 1867, a list of the books so selected to each School Examiner in the State.

2. The School Examiner and the School Trustees of the county, shall, on or before the first day of September, 1867, examine this series of books, and such others as may be deemed necessary, and after proper and careful examination they shall select and adopt books on all the branches named in the preceding section, and said books shall be used in all the Common Schools of the county from and after

the first day of July, 1868, for a term of four years, and to the exclusion of all other books, unless otherwise provided by legislation: *Provided*, The price of said books be not raised consequent upon said introduction: *And provided further*, That nothing herein contained shall be so construed as to prevent cities and incorporated towns whose enumeration of children for school purposes exceeds two thousand in number, from adopting a list of Text Books different from that adopted by the counties in which such towns and cities are situated. But Trustees of towns and cities proposing to avail themselves of the privilege reserved to them by this proviso, shall not participate in the meeting of Trustees to select Text Books.

3. Trustees of cities and incorporated towns shall, in the final vote in decision as provided in the last preceding section, be allowed a vote only in proportion to the enumeration of children therein for school purposes, save in case the enumeration of such cities and towns is threefold greater than the average enumeration of the townships.

4. In case of failure on the part of the Examiner and Trustees of any county to make the selection of books as provided for in this act, the books selected by the State Board of Education shall be adopted and used in such county in the same manner as if they had been selected and adopted as above required.

Which substitute was adopted.

Mr. Armstrong moved to amend section 18 by adding the following:

“But no Examiner shall publish, or caused to be published, or make known in advance of such examination, the question which may be asked such applicants for license.”

Which was adopted.

Mr. Bellamy moved to strike out section 19.

Which was not agreed to.

Mr. Bellamy offered the following additional section to the bill:

SEC. —. It shall be the duty of the School Trustee in every township, town or city, after making the enumeration of the white and colored children, as hereinbefore required, to set apart a portion of

the Common School Fund for the education of said colored children, such portion so set apart to bear the same ratio to the whole amount of school fund apportioned to said township, town or city as said colored children bear to the whole number of children enumerated. And it shall further be the duty of said School Trustees to provide schools and furnish teachers for the education of the said colored children whenever fifteen or more can be accommodated with school privileges at one place, the said teachers to be employed until the fund set apart for that purpose is exhausted: *Provided, however,* That if no tax has been assessed or levied on the colored inhabitants of the State for school purposes, then no portion of the said fund shall be set apart for the purpose indicated, and the said Trustees shall not be required to provide such schools as required in this section.

Mr. Sherrod moved to lay the additional section upon the table.

The ayes and noes were demanded by Messrs. Sherrod and Humphreys.

Those who voted in the affirmative were,

Messrs. Barker, Bowman, Hanna, Howk, Huey, Huffman, Humphreys, Lee, Newlin, Sherrod, Smith, Staggs, and Taggart—13.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Cason, Church, Cravens, Houghton, Hyatt, Jaquess, Lee, Milligan, Niles, Noyes, Parrish, Reagan, Rice, Richmond, Robinson, Stein, Terry, Vawter, Wolcott, and Mr. President—24.

So the motion to lay the amendment on the table did not prevail.

Mr. Vawter offered the following amendment to the section :

Provided, That whenever there is no opposition by any tax payer or patron of the school, said colored children may be admitted upon equal terms into the public schools ; but when there is such opposition this shall not be.

Which amendment was accepted by Mr. Bellamy.

Mr. Hanna moved to lay the additional section, as amended, on the table.

The ayes and noes were demanded by Messrs. Hanna and Turner.

Those who voted in the affirmative were,

Messrs. Barker, Bowman, Hanna, Howk, Huey, Huffman, Humphreys, Jaquess, Lee, Newlin, Sherrod, Smith, Staggs, and Taggart—14.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Houghton, Hyatt, Lewis, Milligan, Niles, Noyes, Parrish, Reagan, Rice, Richmond, Robinson, Stein, Terry, Vawter, Wolcott, and Mr. President—24.

So the motion to lay on the table did not prevail.

The question being on the adoption of the section as amended.

The ayes and noes were demanded by Messrs. Hanna and Newlin.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Houghton, Hyatt, Lewis, Milligan, Niles, Noyes, Parrish, Reagan, Richmond, Robinson, Stein, Terry, Vawter, Wolcott, and Mr. President—23.

Those who voted in the negative were,

Messrs. Barker, Bowman, Hanna, Howk, Huey, Huffman, Humphreys, Jaquess, Lee, Newlin, Sherrod, Smith, Staggs, and Taggart—14.

So the additional section, with amendment, was adopted.

Mr. Cumback offered the following substitute for section five :

SECTION 5. The Common Council of each incorporated city, and the Board of Trustees of each incorporated town of this State shall, at their first regular meeting after the election of the Council and

Township Trustees in the month of May of the present year, elect three School Trustees who shall hold their offices one, two, and three years respectively, as said School Trustees shall determine by lot at the time of their organization, and triennially thereafter, shall elect one School Trustee who shall hold his office three years. Said Trustees shall constitute the School Board of the city or town, and before entering upon the duties of their office, take an oath faithfully to discharge the duties thereof. They shall elect one of their number Treasurer, and may elect one of their number President, and one as Clerk.

The Treasurer before entering upon the duties of his office shall execute a bond to the acceptance of the County Auditor, conditioned as in ordinary official bonds with at least two sufficient freehold sureties, who shall not be members of the said Board, in a sum not less than double the amount which may come into his hands, within any one year, by virtue of his office. The other members of the Board shall each give bond with like sureties, to be approved by the County Auditor, in any sum not less than one-third of the amount of the Treasurer's bond. Said Board shall have power to employ a Superintendent for their schools, whose salary shall be paid from the special school revenue, and prescribe his duties and direct in the discharge thereof. Said Trustees shall receive for their services such compensation as the Common Council of the city or Trustees of the town may deem just, which compensation shall be paid from the special school revenues of the town or city, not to exceed fifty dollars each per annum in cities of three thousand inhabitants and under, and not to exceed one hundred dollars per annum in any city.

The ayes and noes were demanded by Messrs. Hanna and Bonham.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Houghton, Howk, Hyatt, Jaquess, Noyes, Parrish, Reagan, Rice, Richmond, Robinson, Stein, Wolcott, and Mr. President—20.

Those who voted in the negative were,

Messrs. Barker, Bowman, Cravens, Hanna, Huey, Huffman, Humphreys, Johnson, Lee, Milligan, Niles, Sherrod, Smith, Staggs, Taggart, Terry, and Vawter—17.

So the substitute was adopted.

The amendments heretofore offered were adopted, and the bill ordered to be engrossed for a third reading on to-morrow.

On motion the order of business was suspended, and

Mr. Hanna, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 175, a bill for the incorporation of companies for the purpose of building and maintaining buildings to be used or occupied in whole or in part for Masonic meeting, purposes, or in any way for the accommodation or convenience of said Masonic Bodies or Lodges, have had the same under consideration, and direct me to report it back to the Senate and recommend its passage.

Which was concurred in.

On motion by Mr. Stein, Senate bill No. 244 was recalled from the Committee on Organization of Courts and referred to a select committee of seven.

The President appointed Messrs. Stein, Church, Howk, Noyes, Hanna, Bennett and Richmond said committee.

On motion by Mr. Noyes, the order of business was suspended, and

House bill No. 12—a bill to constitute the Fourteenth Judicial Circuit of Indiana, to fix the time of holding the Courts in said Circuit, and repeal all laws in conflict therewith—was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Hanna, Houghton, Howk, Jaquess, Lee, Lewis, Milligan, Niles, Noyes, Parrish, Reagan, Rice, Richmond, Robinson, Smith, Stein, Terry, Vawter, Wolcott, and Mr. President—29.

Those who voted in the negative were,

Messrs. Bowman, Huey, Huffman, Humphreys, Hyatt, Johnson, Sherrod, Staggs, and Taggart—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By consent of the Senate, the order of business was suspended, and Mr. Wolcott offered the following concurrent resolution :

WHEREAS, The twenty-second day of February, now approaching, brings again to us the anniversary of the birthday of that wise statesman and most illustrious patriot, George Washington, whose name will be honored and revered among men as long as pre-eminent virtues and exalted greatness of character shall command respect;

AND WHEREAS, It is both proper and customary for men to commemorate, by public demonstrations, the memory and the anniversary of the birth of those who have greatly served their country and been benefactors of their race; therefore

Be it resolved by the Senate, the House of Representatives concurring, That in honor of the birthday of Washington, the Adjutant General be, and he is hereby directed to cause a National Salute, of thirty-six guns, to be fired in front of the State House, at twelve o'clock on the next ensuing twenty-second day of February.

Which was adopted.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Cason offered the following concurrent resolution :

Resolved by the Senate, the House of Representatives concurring, That the State Librarian be directed to furnish to each of the employes of the General Assembly, who have served in the army or navy for the suppression of the late rebellion, one copy each of each volume of the Adjutant General's report.

The ayes and noes were demanded by Messrs. Vawter and Sherrod.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Hanna, Houghton, Howk, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Parrish, Reagan, Rice, Richmond, Robinson, Smith, Stein, Taggart, Terry, Wolcott, and Mr. President—34.

Those who voted in the negative were,

Messrs. Huey, Staggs, and Vawter—3.

So the resolution was adopted.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Church offered the following resolution :

Resolvee, That the Librarian be instructed to furnish each Senator and elective officer of the Senate, in addition to the amount already received, five dollars worth of postage stamps.

Which was adopted.

By consent of the Senate, the order of business was suspended, and Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 191, a bill supplemental to an act entitled "an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, have had the same under consideration, and direct me to report the same back to the Senate and recommend its passage.

Which report was concurred in.

By unanimous consent of the Senate, the order of business was suspended.

S. J.—34.

Mr. Bennett offered the following concurrent resolution :

Resolved by the Senate, the House concurring, That each House of the General Assembly will, on Thursday, February 21, 1867, at 2½ o'clock P. M., proceed to elect Trustees for the Benevolent Institutions of the State by a separate concurrent vote.

Mr. Hanna moved to lay the resolution on the table.

The ayes and noes were demanded by Messrs. Hanna and Cravens.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cravens, Hanna, Huey, Howk, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Reagan, Robinson, Smith, Staggs, Stein, Taggart, and Wolcott—26.

Those who voted in the negative were,

Messrs. Bennett, Bonham, Church, Houghton, Jaquess, Parrish, Rice, Richmond, Terry, and Mr. President—10.

So the resolution was laid on the table.

By consent of the Senate, the order of business was suspended and Mr. Hanna, from the Committee on Corporations made the following report :

MR. PRESIDENT :

The Committee, to whom was referred Senate bill No. 153, entitled an act to provide for the incorporation of religious societies, and defining their powers, have considered and approve the same, and recommend the passage of the same.

Which was concurred in.

A message from the House, by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit :

Engrossed House bill No. 89, entitled "a bill to provide for the

contruction of sewers within incorporated towns, defining the powers and duties of Town Trustees in relation thereto, and to repeal all laws in conflict herewith."

Engrossed House bill No. 159, "a bill to amend sections six hundred and forty-nine and six hundred and fifty of the practice act."

Engrossed House bill No. 272, "a bill to create the 22d District of the Court of Common Pleas of Indiana, to fix the time of holding the Courts in said district, and to repeal all laws in conflict therewith."

I am also directed by the House of Representatives to inform the Senate that the House has passed the following engrossed Senate bill without amendments, to-wit :

Engrossed Senate bill No. 24, "a bill to legalize acknowledgments of all deeds, mortgages, and other instruments required to be recorded, taken and certified by Notaries Public who took and certified such acknowledgments after the expiration of their commissions or vacation of their offices."

Also the following engrossed House bills, to-wit :

Engrossed House bill No. 13, "a bill to create the Eighteenth Judicial Circuit of the State of Indiana."

Engrossed House bill No. 23, "a bill to enable owners of wet lands to drain and reclaim the same where the same cannot be done without affecting the lands of others, prescribing the powers and duties of County Boards and County Auditors in the premises, and repealing all laws inconsistent therewith."

On motion by Mr. Bonham, the Senate adjourned.

WEDNESDAY MORNING, 9 o'CLOCK, }
February 20, 1867. }

The Senate met.

On motion by Mr. Johnson, the reading of the Journal was dispensed with.

Mr. Humphreys asked and obtained leave of absence for Mr. Taggart.

Mr. Bennett presented a petition from sundry citizens of Fayette county, asking the repeal of all Black Laws, that colored people be no longer exempt from taxation for school purposes, and their children be permitted to enjoy the benefits of a free school education the same as others.

Which was referred to the Committee on Education.

Mr. Ward presented a petition from sundry citizens of Huntsville, Randolph county, asking a law prohibiting the traffic in intoxicating drinks as a beverage in the State.

Which was referred to the Committee on Temperance.

Mr. Stein presented a remonstrance signed by John Pettit, remonstrating in behalf of himself and the State against the passage of House bill No. 216, with an accompanying letter.

Which remonstrance and letter were referred to the Committee on the Judiciary.

Mr. Bennett moved to suspend the order of business and take up messages from the House.

Which was agreed to, and the following message was taken up.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 1, entitled "A bill to di-

vide the State into Congressional Districts," with the accompanying engrossed amendments of the House attached thereto.

Amendments of the House of Representatives to Senate bill No. 1.

1. Strike out the words "Monroe and Lawrence" where they occur in section seven, and insert in lieu thereof "and Putnam."

2. Strike out the words "and Putnam" from the eighth section, and insert in lieu thereof the words "Monroe and Lawrence."

Also, the following engrossed bill of the House of Representatives, to-wit :

Engrossed House bill No. 130. A bill to amend section twenty-eight of an act entitled "An act defining felonies, and prescribing punishment therefor," approved June 10, 1852.

Mr. Bennett moved to concur in the amendments of the House to Senate bill No. 1, contained in the foregoing message.

Which was agreed to.

Ordered, That the Secretary inform the House thereof.

House bill No. 130, contained in the foregoing message, was read a first time and passed to a second reading on to-morrow.

Mr. Stein, from a Special Committee, made the following report :

MR. PRESIDENT :

The Special Committee, to whom was referred House bill No. 244, "a bill districting the State for Judicial Circuits and providing that Judges and Prosecuting Attorneys of Circuits as heretofore existing, shall be Judges and Prosecuting Attorneys of the Circuits in which the county where they reside is situate under this act, and providing for filling vacancies in said offices," have had the same under consideration, and have instructed me to report it to the Senate with the following amendments :

1. Strike the word "Clinton" from the first line of the eighth section, and insert in lieu thereof the word "Warren;" after the word "Marshall" in the second line of ninth section add the word "Fulton."

2. Strike the words "and Fulton" from the second line of the twelfth section, and add the word "and" after the word "Jasper" in the same line.

3. Strike the word "Warren" from the first line of the nineteenth section, and insert in lieu thereof the word "Clinton."

4. After the word "Circuits" in the eighth line of the twenty first section insert the words, "which in this act bear the same numbers as the Circuits."

Those amendments being adopted the committee recommends the passage of the bill.

The question being on the adoption of the amendments reported by the Committee.

The ayes and noes were demanded by Messrs. Johnson and Houghton.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Gifford, Hawk, Milligan, Noyes, Parrish, Reagan, Rice, Robinson, Smith, Stein, Terry, Vawter, Wolcott, and Mr. President—23.

Those who voted in the negative were,

Messrs. Bellamy, Houghton, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Sherrod, Staggs, Turner and Ward—14.

So the amendments were adopted, and the report of the Committee was then concurred in.

Mr. Stein moved to suspend the order of business, and read the bill a second time now.

Which was agreed to.

The bill was read a second time, and ordered to be engrossed for a third reading on to-morrow.

RESOLUTIONS.

Mr. Houghton offered the following resolution :

WHEREAS, the Chairman of the Committee on Benevolent Institutions is indisposed and unable to meet with the Committee ; therefore,

Resolved, That the President of the Senate appoint an additional member to act on said Committee for the remainder of the session.

Which was adopted, and the President appointed Mr. Church to act on said Committee.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Turner presented a petition from sundry citizens of Knox county remonstrating against any change in Temperance laws.

Which was referred to the Committee on Temperance.

BILLS INTRODUCED.

Mr. Niles introduced

Senate bill No. 213. "A bill concerning the punishment of women and girls, convicted of crimes, misdemeanors, and violations of any city ordinances."

Which was read a first time, and referred to the Committee on the Judiciary.

By unanimous consent, the order of business was suspended, and

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 164, "a bill to provide for the removal from office, death, resignation or inability of the Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith," have had the same under consideration, and report the same back to to the Senate, and recommend its passage.

Which was concurred in, and the bill therein contained read a second time.

Mr. Niles moved that the rules be suspended, the bill be considered as engrossed, and that it be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Craven, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Rice, Robinson, Smith, Stein, Terry, Vawter, Ward, and Wolcott—35.

Those who voted in the negative were,

Messrs. Sherrod and Staggs—2.

So the rules were suspended, and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Rice, Robinson, Sherrod, Smith, Staggs, Stein, Terry, Vawter, Ward, and Wolcott—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Parrish moved to suspend the order of business and take up bills on third reading.

Which was agreed to.

On motion by Mr. Cumbach,

House bill No. 2, "a bill to amend an act entitled an act to incorporate the Preacher's Aid Society," approved Feb. 12, 1841, and to authorize and require said incorporation to divide and pay over in

equal shares to each Preacher's Aid Society in the several conferences in Indiana the funds in said incorporation by the first of January, 1868.

Was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Brown, Cason, Church, Cravens, Gifford, Hanna, Houghton, Howk, Huey, Hyatt, Jaquess, Lee, Lewis, Milligan, Nowlin, Niles, Noyes, Parrish, Reagan, Reynolds, Rice, Robinson, Smith, Stein, Terry, Turner, Ward, Wolcott, and Mr. President—33.

Those who voted in the negative were,

Messrs. Bowman, Humphreys, Huffman, Johnson, Sherrod, Staggs, and Vawter—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

SENATE BILLS ON THIRD READING.

Senate bill No. 111, "a bill authorizing Township Trustees, Trustees of incorporated towns, and the Common Council of cities, to levy a tax for school purposes."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Gifford, Houghton, Howk, Hyatt, Jaquess, Johnson, Lewis, Newlin, Noyes, Parrish, Reagan, Robinson, Stein, Terry, Vawter, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Bowman, Hanna, Huey, Huffman, Humphreys, Lee, Milligan, Sherrod, Smith, Staggs, and Turner—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 35, a bill to amend sections nineteen and twenty of an act entitled "an act defining felonies and prescribing punishment therefor," approved June 10. 1852, defining the offenses of grand and petit larceny and prescribing the punishment therefor.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Gifford, Houghton, Howk, Huffman, Hyatt, Jaquess, Lewis, Milligan, Niles, Parrish, Reagan, Reynolds, Rice, Robinson, Sherrod, Stein, Terry, Turner, Vawter, Ward, and Mr. President—29.

Those who voted in the negative were,

Messrs. Barker, Hanna, Huey, Humphreys, Johnson, Lee, and Staggs—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 41. A bill to authorize incorporated towns and townships to subscribe for, purchase and hold stocks, and make donations to turnpike, plank road, railway, and slack water navigation companies, and matters properly connected therewith, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Gifford, Houghton, Howk, Huey, Jaquess, Johnson, Lewis, Milligan, Newlin, Noyes, Parrish, Reagan, Reynolds, Rice, Robinson, Staggs, Stein, Turner, Vawter, Ward, and Wolcott—30.

Those who voted in the negative were,

Messrs. Bowman, Hanna, Huffman, Humphreys, Hyatt, Smith, and Terry—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 75. A bill for the incorporation of Slack Water Navigation Companies, and defining their powers and duties.

Was taken up.

Mr. Cason moved to recommit the bill to the Committee on the Rights and Privileges of the Inhabitants of this State, with instructions to insert an enacting clause.

Which was agreed to.

Senate bill No. 76. A bill to increase the salary of the Prosecuting Attorneys of the Criminal Circuit Courts, and providing the manner for the payment of the same.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Gifford, Hanna, Houghton, Howk, Jaquess, Lewis, Milligan, Niles, Noyes, Parrish, Reagan, Reynolds, Rice, Robinson, Sherrod, Smith, Stein, Terry, Turner, Vawter, Ward, Wolcott, and Mr. President—32.

Those who voted in the negative were,

Messrs. Bowman, Huey, Huffman, Humphreys, Johnson, and Staggs—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 86. A bill supplemental to an act entitled an act for the incorporation of High Schools, Academies, Colleges, Univer-

sities, Theological Institutions, and Missionary Boards, approved February 28, 1865.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lewis, Milligan, Niles, Parrish, Reagan, Reynolds, Rice, Robinson, Smith, Staggs, Stein, Terry, Turner, Vawter, Ward, Wolcott and Mr. President—37.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 79. A bill providing for the incorporation of Electric Telegraph Companies.

Was read a third time.

Mr. Jaquess moved to recommit to a Special Committee of Three, with the following instructions:

“To consider the propriety of so amending as to allow said corporations to purchase and hold real estate.”

Which was agreed to.

The President appointed Messrs. Jaquess, Hanna, and Niles said committee.

Senate bill No. 89. A bill providing for the incorporation of Steam Packet Companies.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Gifford, Hanna, Houghton, Howk,

Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Milligan, Niles, Parrish, Reagan, Reynolds, Rice, Robinson, Sherrod, Staggs, Stein, Turner, Vawter, Ward, Wolcott, and Mr. President—35.

Ne Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 92. A bill to amend section twenty-two of an act entitled an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties, approved June 11, 1852.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Cason, Cravens, Houghton, Jaquess, Johnson, Lewis, Milligan, Niles, Noyes, Parrish, Reagan, Reynolds, Stein, and Terry—18.

Those who voted in the negative were,

Messrs. Bennett, Bowman, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Robinson, Sherrod, Smith, Staggs, Turner, Vawter, Ward, and Mr. President—16.

So the bill did not pass for want of a constitutional majority.

By unanimous consent of the Senate the order of business was suspended and Mr. Jaquess, Chairman of the Special Committee, made the following report:

MR. PRESIDENT:

The Special Committee, to whom was referred Senate bill No. 79, a bill providing for the incorporation of electric telegraphic companies, with accompanying instructions, have had the same under consideration and direct me to report the following amendment:

Add to section five as follows :

And such corporation shall have power to acquire such real estate and rights of way as may be necessary for the uses and purposes herein contemplated under the writ of assignment of damages, as fully as if the acts in relation to said writ were herein incorporated and made part thereof, and when so amended recommend its passage.

The report was concurred in, and by unanimous consent of the Senate, the amendment was adopted.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lewis, Milligan, Niles, Parrish, Reagan, Reynolds, Robinson, Sherrod, Smith, Staggs, Stein, Terry, Turner, Vawter, and Ward—35.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Church asked and obtained leave of absence for Mr. Rice.

On motion by Mr. Howk, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

Mr. Noyes asked and obtained leave of absence for Mr. Mason, on account of sickness.

Mr. Ward presented a petition from the citizens of Randolph county, asking the passage of a law prohibiting the traffic in intoxicating drinks as a beverage.

Which was referred to the Committee on Temperance.

REPORTS FROM STANDING COMMITTEES.

Mr. Cason, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred Senate bill No. 181, "a bill to amend section twenty-seven of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, have had the same under consideration, and have instructed me to report said bill back to the Senate, without amendment, and your Committee recommend that said bill do pass.

Which report was concurred in.

Mr. Cason, from the Committee on Education, made the following report :

MR. PRESIDENT:

The Committee on Education, to whom was referred Senate bill No. 143, a bill to amend an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological and Missionary Boards, approved February 28, 1855, have had the same under consideration, and have directed me to report said bill to the Senate, without amendment, and recommend its passage.

Which report was concurred in.

Mr. Cason moved that Senate bills Nos. 181 and 143, contained in the foregoing reports be read a second time now.

Which was agreed to.

The bills were read a second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 154, an act to revise and amend the sixth section of an act entitled "an act granting to the citizens of Evansville, in the county of Vanderburgh, a city charter, approved January 27, 1847," have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

Which report was concurred in.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred House bill No. 177, "a bill to amend the third section of an act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing acts therein specified, approved December 20, 1865," have had the same under consideration, and direct me to report the same back to the Senate, and recommend its passage.

Which report was concurred in.

Mr. Bellamy, Chairman of the Committee on Enrolled Bills, made a report on enrolled Senate bills Nos. 1 and 4.

Which was concurred in.

SENATE BILLS ON SECOND READING.

Senate bill No. 140. "A bill authorizing Insurance Companies to reinsure their risks, and close up their business."

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 141. A bill to define the crime of drunkenness, and to provide penalties therefor.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 142. "A bill to to provide for the payment of certain moneys due from the State to the firm of Moorehead, Hall & Co., and H. K. Wright and Jacob Barnes, and their assigns."

Was read second time, and on motion recommitted to the Committee on Canals and Internal Improvements.

Senate bill No. 148. "An act to amend an act entitled an act to incorporate the Grape Vine Marsh Plank Road Company," approved February 12, 1857.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 151. "A bill amending an act touching the relation of guardian and ward, and regulating suits on bonds of guardians removing from the State."

Was read a second time.

Mr. Turner moved that the rules be suspended, and that the bill be considered as engrossed, and read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Parrish, Reagan, Reynolds, Robinson, Smith, Staggs, Stein, Terry, Turner, Ward, Wolcott, and Mr. President—34.

No Senator voting in the negative.

So the the rules were suspended, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Newis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Reynolds, Robinson, Smith, Staggs, Stein, Terry, Turner, Ward, Wolcott and Mr. President—36,

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Armstrong moved to suspend the rules and read

Senate bill No. 143—a bill to amend an act entitled an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological and Missionary Boards, approved February 28, 1855—a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Reynolds, Robinson, Smith, Staggs, Stein, Turner, Ward, Wolcott, and Mr. President—35.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Stein, Terry, Turner, Ward, Wolcott, and Mr. President—35.

Those who voted in the negative were,

Messrs. Noyes and Staggs—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent, the order of business was suspended, and Mr. Church, Chairman of the Committee on Rights and Privileges, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 75, "a bill for the incorporation of Slackwater Navigation Companies, and defining their powers and duties, have had the same under consideration, and direct me to report the same back, recommending the following amendment to section first, to-wit :

Place before the first line the following :

"Be it enacted by the General Assembly of the State of Indiana, That"

And when so amended they recommend its passage.

Which was concurred in, and the amendment adopted.

Mr. Church moved that Senate bill No. 75, contained in the foregoing report, be considered as engrossed, and that it be read a third time now.

Which was agreed to.

And the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Houghton, Hawk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Parrish, Reagan, Reynolds, Richmond, Rob-

inson, Smith, Staggs, Stein, Terry, Turner, Ward, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Stein, the order of business was suspended, and

Senate bill No. 226—"a bill creating the Twenty-Second Common Pleas District and making provision therefor, and repealing all conflicting laws,"—was taken from the files and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Lee, Lewis, Milligan, Niles, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Terry, Turner, Ward, Wolcott, and Mr. President—37.

Mr. Johnson voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Niles offered the following resolution:

Resolved, That the Committee on Education be instructed to inquire into the expediency of repealing the law authorizing a tax for the support of Township Libraries and of diverting the monies already collected or assessed for that purpose, into the Treasury of the State for general purposes, with leave to report at any time, by bill or otherwise.

Which was adopted.

By consent of the Senate,

Mr. Richmond moved to take Senate bill No. 47 from the files and recommit the same to the Committee on County and Township Business.

Which was agreed to.

On motion by Mr. Barker, the order of business was suspended, and

Senate bill No. 125—"a bill to declare abandoned certain unfinished railroads, and to provide for their completion; to declare forfeited the franchises of certain railroad companies and for the assessment of the value thereof; for the organization of new companies, and for making annual statements"—was taken from the files and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Houghton, Howk, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Newlin, Noyes, Parrish, Reagan, Reynolds, Robinson, Sherrod, Smith, Staggs, Stein, Terry, Turner, and Mr. President—32.

Those who voted in the negative were,

Messrs. Armstrong, Huey, Ward, and Wolcott—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 165. A bill to amend an act to provide for the appraisalment of real estate and prescribing the duties of officers in relation thereto, approved December 21, 1858.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 152. A bill to legalize and make valid certain County Boards and provide for the payment of the same.

Was read a second time.

Mr. Robinson moved to suspend the rules, consider the bill as engrossed, and that the same be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Stein, Turner, Ward, Wolcott, and Mr. President—35.

No Senators voting in the negative.

So the rules were suspended and the bill read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Cason, Church, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Noyes, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Turner, Ward, Wolcott and Mr. President—36.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 174. A bill for the relief of Peter Wells and Benoni Wells.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 169. A bill to provide for official visitations and inspections of the Prisons and Benevolent Institutions of this State.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 171. A bill fixing the duration of the terms of the Circuit Court in the county of Warren, and repealing all laws in conflict with its provisions.

Was read a second time and ordered to be engrossed for a third reading on to-mosrow.

Senate bill No. 175. A bill for the incorporation of companies for the purpose of erecting and maintaining buildings to be used and occupied, in whole or in part, for Masonic meeting purposes, or in any way for the accommodation or convenience of Masonic bodies or lodges.

Was read a second time.

Mr. Bennett moved to suspend the rules, consider the bill as engrossed, and that it be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Cason, Church, Cravens, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Turner, Ward, Wolcott, and Mr. President—36.

No Senator voting in the negative.

So the rules were suspended and the bill was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Cason, Church, Cravens, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Stein, Terry, Turner, Ward, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 168, "a bill to provide for prosecution of bastardy in certain cases."

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 176, "a bill requiring railroad companies to erect signs or public notices at all highway crossings, and providing penalties for neglect thereof."

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 180, "a bill amending section twenty-three of an act for the government of the Insane Hospital, relating to the duties of County Clerks."

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 185, "a bill to authorize Judges of Circuits and County Common Pleas receivers in vacation, and to make all orders in relation thereto; to authorize such Judges to modify and dissolve injunctions, and to allow appeal therefrom, the same as is made by the Court in session, and to provide that an appeal from an injunction order shall not operate as a *supersedeas*."

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 191, a bill supplemental to an act entitled "an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical, and building purposes, approved May 20, 1852."

Was read a second time.

Mr. Cravens moved the following amendment to the bill:

That no charter of any mining or manufacturing company, within this State, shall be deemed to have been forfeited for anything done prior to February 1, 1867, unless the same shall have been declared to have been forfeited by competent authority.

Which amendment was adopted, and the bill was ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 178, "a bill to regulate the assessment and collection of taxes on the capital stock owned in banks and banking associations doing business in the State of Indiana."

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 203, "a bill extending the time for holding the Common Pleas Court in the county of Fulton, and repealing all laws inconsistent herewith."

Was read a second time.

Mr. Bennett offered the following amendment :

Amend by striking out from the second and third sections, the words, "be it further enacted."

Which was adopted, and the bill was ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 184, a bill for the relief of Lewis and Eichelbarger, Dare and Johnson, Peter Hollowell, and Abraham Briggs.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

On motion by Mr. Cumback, a call of the Senate was ordered, and the Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Terry, Wolcott, and Mr. President—34.

On motion, the further call of the Senate was dispensed with.

By unanimous consent of the Senate, Mr. Hanna offered the following resolution :

Resolved, That when the Senate adjourns, it adjourn to meet at two and a-half o'clock to-morrow.

Which was adopted.

On motion by Mr. Cumback,

Senate bill No. 182, "a bill to amend section two of an act entitled an act to provide compensation to the owners of animals killed or injured by the cars, locomotives, or other carriages, of any railroad company in the State, approved March 1, 1853, and repealing all laws in conflict therewith, and declaring an emergency."

Was taken from the files and read a third time.

Mr. Bennett moved to recommit the bill to the Committee on Corporations, with instructions to inquire into the expediency of incorporating the following amendments therein :

1. Service shall not be made on any conductor, engineer or attache of the road, whilst the company charged have a resident depot agent and office in the county, but service must first be made on him, either personally or by leaving a copy at the office.

2. That the provisions of this act shall not extend to animals estray, or animals running at large in any town or city, unless willful negligence is charged and proven against the company.

3. That on the killing of any stock by any railroad train, the owner thereof shall first notify the resident depot agent, and that the stock so killed shall be appraised by two disinterested appraisers, and on the payment of appraised value by the company, the right of action shall cease ; each party to appoint one appraiser, and if they cannot agree they shall appoint an umpire.

Which was not agreed to.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Bennett, Bonham, Cason, Cravens, Gifford, Hanna, Houghton, Howk, Lee, Milligan, Niles, Reagan, Richmond, Robinson, Staggs, Walcott, and Mr. President—17.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Church,

English, Huey, Huffman, Humphreys, Hyatt, Lewis, Noyes, Parrish, Reynolds, Smith, and Terry—17.

So the bill did not pass, for want of a constitutional majority.

By unanimous consent, Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 213, "a bill concerning the punishment of women and girls convicted of crimes and misdemeanors," have had it under consideration and recommend its passage.

Which was concurred in.

Mr. Cumback moved to suspend the rules, consider the bill as engrossed, and that it be read a second and third times now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Terry, Wolcott, and Mr. President—35.

No Senator voting in the negative.

So the rules were suspended and the bill was read a second and third times.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Terry, Wolcott, and Mr. President—34.

Those who voted in the negative were,
Messrs. Barker and Humphreys—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

SENATE JOINT RESOLUTIONS ON THIRD READING.

Senate Joint Resolution No. 2. "A joint resolution in relation to a Ship Canal connecting Lake Erie and Lake Ontario."

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate Joint Resolution No. 5. Joint resolution directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of free banks broken and closed and of such banks as have given notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. Bonham moved to take up the following message from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following bills of the Senate, to-wit:

Senate bill No. 7. A bill to repeal an act entitled "An act to enforce the thirteenth article of the constitution."

Senate bill No. 42. "A bill defining what counties shall constitute the Seventh Judicial Circuit, and fixing the times of holding the Courts therein," to which the House has attached the accompanying engrossed amendments, in the passage of which the concurrence of the Senate is respectfully requested.

Amend by adding to the second section of said bill the following words, "and all writs, subpeonas, venires, rules, orders of Court, recognizances, publications and process whatever, which may have issued from said Courts in said counties, or which may hereafter be issued previous to the commencement of said terms as herein provided, shall be and are hereby made returnable to the first day of the term of said Courts respectfully, to be holden as provided in this act."

Which was agreed to, and engrossed House amendments to Senate bill No. 42 were concurred in.

A message from the House, by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives, to inform the Senate, that he has signed the following acts of the House, to-wit:

Enrolled Act No. 12. An act to constitute the Fourteenth Judicial Circuit of Indiana, to fix the time of holding the Courts in said Circuit, and to repeal all laws in conflict therewith.

Enrolled Act No. 54. An act concerning the organization and perpetuity of voluntary associations, and repealing an act entitled, "an act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 12, 1855, and repealing each act repealed by said act, and authorizing gifts or devises by will, to be made to any corporation, or purpose contemplated by this act.

Also, Enrolled Act No. 181. An act to amend an act entitled, "an act approved March 11, 1861, being to amend an act entitled, "an act authorizing county agricultural societies to purchase Real Estate, approved February 7, 1855, and to authorize such societies to issue stock, and to confirm and ratify all purchases of Real Estate made by any agricultural and mechanical society, under their by laws, not exceeding eighty acres of land, and to extend the benefits of said act to horticultural societies.

Enrolled Act No. 190. An act to raise revenue for State purposes

for the years one thousand eight hundred and sixty-seven, and one thousand eight hundred and sixty-eight.

Enrolled Act No. 293. An act to fix the time of holding the Circuit Courts in the Fifth Judicial Circuit, prescribing the length of the terms thereof, and repealing all laws in conflict therewith,

And the President of the Senate is hereby requested to sign the same.

A message from the House, by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT :

I am directed by the House of Representative to inform the Senate, that the House has passed the following concurrent resolution of the Senate :

WHEREAS, It is a fact, apparent to all persons, that many private soldiers who were engaged in the late war against the South, and also the families of many deceased soldiers, are now in limited, if not destitute circumstances, and whereas, the law on the subject of bounties makes an unjust discrimination between persons entitled thereto, in regard to the amount of the same ; therefore,

Be it resolved by the Senate, the House concurring, That our Senators in Congress be instructed, and our Representatives be requested to use their influence to procure the passage of an act for the equalization of the bounties of all persons entitled thereto, under the provisions of any act of Congress, on that subject in which the concurrence of the House is respectfully requested.

And that the Speaker has signed Enrolled Senate Act No. 1, entitled "an act to divide the State into Congressional Districts."

Also, Enrolled Senate Act No. 24, to legalize the acknowledgment of all deeds, mortgages, and other instruments required to be recorded, taken and certified by Notaries Public, who took and acknowledged such acknowledgments after their commissions had expired.

On motion by Mr. Hanna, the Senate adjourned.

THURSDAY AFTERNOON, 2½ o'clock, }
February 21, 1867. }

The Senate met.

The Secretary, Mr. Wilson, called the Senate to order.

On motion by Mr. Bonham, Mr. Richmond was called to the Chair.

On motion by Mr. Gifford, the reading of the Journal was dispensed with.

Message from the Governor, by John M. Commons, his Secretary.

MR. PRESIDENT:

I am directed by Governor Baker to inform your honorable body that he has approved and signed Senate Enrolled Act No. 1, an act to divide the State into Congressional Districts.

Also, Senate Enrolled Act No. 24, an act to legalize the acknowledgments of all deeds, mortgages, and other instruments required to be recorded, taken and certified by Notaries Public, who took and certified such acknowledgments after their commissions had expired, and their appointments had been vacated by accepting and holding a lucrative office.

And that the same have been deposited in the Office of the Secretary of State.

By unanimous consent of the Senate, Mr. Noyes introduced,

Senate bill No. 214, "a bill to authorize cities to prepare, execute, negotiate and sell bonds; to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax to provide means for the payment of the interest and principal of such bonds, and declaring an emergency."

Which was read a first time.

Mr. Noyes moved to suspend the rules, and read the bill a second and third times now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Stein, Terry, Thompson, Ward, and Wolcott—35.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Howk, Huey, Huffman, Humphreys, Hyatt, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Terry, Thompson, Ward, and Wolcott—34.

Mr. Hanna voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

A message from the House, by Mr. Nixon, the Clerk thereof.

Mr. PRESIDENT :

I am directed by the Speaker of the House of Representative to inform the Senate that he has signed Enrolled Act No. 2, House of Representatives, entitled an act to amend an act entitled an act to incorporate the Preacher's Aid Society, approved February 12, 1841, and to authorize and require said incorporation to divide and pay over, in equal shares, to each Preacher's Aid Society, in the several annual conferences in Indiana, the funds of said incorporation by the first of January, 1868 ; also, that he has signed Enrolled Act No. 7, Senate, entitled an act to repeal an act entitled an act to enforce the thirteenth article of the Constitution.

Also, that the House has passed Joint Resolution No. 18, with the following title, to-wit: "A Joint Resolution instructing the Governor to send an agent to the State of Mississippi to secure the protection and release of Daniel Harrison, of Pike county, Indiana."

A message from the House, by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the Senate concurrent resolution as follows, to-wit:

WHEREAS, The twenty-second day of February, now approaching, brings to us the the anniversary of the birthday of that wise statesman and most illustrious patriot, George Washington, whose name will be honored and revered among men as long as pre-eminent virtues and exalted greatness of character shall command respect.

AND WHEREAS, It is both proper and customary for men to commemorate, by public demonstrations, the memory and the anniversary of the birth of those who have greatly served their country and been benefactors of their race.

Therefore, be it resolved by the Senate of the State of Indiana, the House of Representatives concurring, That in honor of the birthday of Washington, the Adjutant General be, and he hereby is directed to cause a national salute of thirty-six guns to be fired in front of the State House at 12 o'clock on the next ensuing twenty-second day of February.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Bowman introduced

Senate bill No. 215. A bill for an act to prevent the spread of the disease commonly called hog cholera, and other diseases among domestic animals.

Which was read a first time and passed to a second reading on to-morrow.

SPECIAL ORDER.

Senate bill No. 139. A bill to carry into effect the benefits of an act of Congress, approved July 5, 1852, entitled an act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts, and to establish and locate a college for the formation of general science and the teaching of such branches of learning as are related to agriculture and the mechanic arts, and military tactics, and for the acceptance of donations for the benefit of such college.

Was taken up.

By consent of the Senate, Mr. Cason, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred Senate bill No. 157, "a bill creating, establishing, and providing for the management and maintenance of four colleges of agriculture and the mechanic arts, to be located at Indianapolis, Crawfordsville, Greencastle, and Bloomington," have had the same under consideration, and have directed me to report that if said bill should become a law, your Committee would recommend that Hanover College should be added to the list of colleges mentioned in said bill ; but that said Committee would earnestly recommend that the donations made by Congress for the establishing of one or more colleges for inculcating a knowledge of agriculture and mechanical arts, etc., in this State, should be appropriated for the purpose of establishing one college in some convenient part of the State, and that a division of said fund to sectarian colleges, would not be satisfactory to the people of the State, nor a compliance with the spirit and interest of the act of Congress making said donations, your Committee would, therefore, recommend that said bill do lie on the table.

Which, with Senate bill No. 157, therein contained, was made a part of the special order.

The question being, shall the report of the Committee on Education, on Senate bill No. 157, be concurred in.

Mr. Cravens moved to postpone the further consideration of the

pending special orders until to-morrow morning at 10 o'clock, and that it be made the special order for that hour.

Which was agreed to.

By unanimous consent of the Senate, the order of business was suspended, and

On motion by Mr. Barker, House Joint Resolution No. 18, "a joint resolution instructing the Governor to send an agent to the State of Mississippi to secure the protection and release of Daniel Harrison, of Pike county, Indiana.

Was taken up and read a first time.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Houghton, Hawk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Terry, Thompson, Turner, Vawter, Ward, Wolcott, and Mr. President—41.

No Senator voting in the negative.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

Mr. Bennett moved to suspend the order of business, and take up the following message from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following Engrossed Senate bill, to-wit:

Engrossed Senate bill No. 166, entitled "a bill to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State," and that to said bill the House has passed the accompanying engrossed amendments, in the passage of which the concurrence of the Senate is respectfully requested.

Amend section third of said bill by striking out the word "Jennings" in the twenty-third line of said section, and inserting the word "Shelby" in lieu thereof,

The ayes and noes were demanded by Messrs Bennett and Bellamy.

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Brown, Cason, Cravens, Jaquess, Johnson, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Terry, Ward, Wolcott, and Mr. President—21.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Bowman, English, Gifford, Hanna, Houghton, Howk, Huey, Humphreys, Hyatt, Newlin, Sherrod, Smith, Turner, and Vawter—16.

So the order of business was suspended, and the message was taken up.

The question being, shall the amendments of the House to Senate bill No. 166, contained in the foregoing message, be concurred in?

Mr. Oyler demanded the previous question, which was seconded by the Senate.

The question being, shall the main question be now put?

It was agreed to.

The question then being, shall the amendments of the House be concurred in?

It was agreed to.

Ordered, That the Secretary inform the House thereof.

Mr. Terry asked and obtained leave of absence for Mr. Lewis.

Mr. Bonham was granted leave of absense.

A message from the House, by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed the following act of the House, to-wit:

Joint Resolution No. 18, a Joint Resolution instructing the Governor to send an agent to the State of Mississippi, to secure the protection and release of Daniel Harrison, of Pike County, Indiana.

On motion by Mr. Bennett, the Senate adjourned.

FRIDAY MORNING, 9 o'clock, }
February 22, 1867. }

The Senate met.

On motion by Mr. Bonham, the reading of the Journal was dispensed with.

A message from the House, by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed enrolled Senate act No. 42, entitled "An act defining what counties shall constitute the Seventh Judicial Circuit, and fixing the times of holding Courts therein."

Mr. Milligan asked and obtained leave of absence for Mr. Lee.

Mr. Terry asked and obtained leave of absence for Mr. Houghton.

Mr. Cravens asked and obtained leave of absence for Mr. Niles.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Oyler presented a petition from sundry citizens of Johnson county, asking that all persons who have borne arms against the United States in the late rebellion be denied the right of the elective franchise.

Which was referred to the Committee on Military Affairs.

Mr. Oyler presented a petition from sundry citizens of Morgan county, asking that all persons who have taken the oath of allegiance to the so called Southern Confederacy be denied the right of suffrage.

Which was referred to the Committee on Military Affairs.

Mr. Church presented a petition from sundry citizens of Porter county, asking the passage of Senate bills Nos. 80 and 81, or similar bills for the reorganization of Courts.

Which was referred to the Committee on the Organization of Courts.

Mr. Terry presented a petition from sundry citizens of Fulton county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Regan presented a memorial from the students of Asbury University on the subject of the Agricultural College.

Which was referred to the Committee on the Agricultural College.

On motion by Mr. Cumback, the order of business was suspended, and

House bill No. 272—"a bill to create the Twenty-Second District of the Court of Common Pleas of Indiana; to fix the time of holding the Courts in said District, and to repeal all laws in conflict therewith"—was taken up and read a first time.

Mr. Cumback moved that the rules be suspended, and that the bill be read a second and third times now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Howk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Robinson, Smith, Stein, Terry, Ward, Wolcott, and Mr. President—34.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Howk, Huey, Humphreys, Hyatt, Jaquess, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Robinson, Smith, Stein, Terry, Vawter, Ward, Wolcott, and Mr. President—32.

Those who voted in the negative were,

Messrs. Johnson and Mason—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

REPORTS OF STANDING COMMITTEES.

Mr. Bonham, from the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee on Finance to whom was referred Senate bill No. 190, a bill providing the amount of fees to be allowed County Treasurers, the collection of delinquent taxes, and declaring an emergency, have had the same under consideration, and have directed me to report the same back to the Senate, with the following amendment :

Amend by adding the following section :

SECTION 2. It shall be the duty of the County Treasurer, in addition to his duties now prescribed by law, to visit by himself or deputy, on or before the 15th day of October, in each year, the premises of each resident delinquent tax payer of his county, and make a demand for the amount of taxes, and take such other and further steps in the premises as he may think best, and as the law may require.

That section second be changed to section third.

When so amended the Committee recommend its passage.

Which report was concurred in, and the amendments adopted.

Senate bill No. 190, therein contained, was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. Wolcott, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee, to whom was referred Senate bill No. 200, "a bill approving the action of Thomas B. McCarty, Auditor of State, in

settling and saving to the State of Indiana \$2,263 08, occasioned by the defalcation of the Treasurer of Pulaski county, on account of the Swamp Land Fund, and authorizing him to dispose of certain lands acquired thereby, for the benefit of the State," respectfully report that they have considered, approve, and recommend the passage of the same.

Which report was concurred in.

Mr. Bennett, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 63, "a bill to amend section eleven of an act entitled an act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852, beg leave to report that they have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that the same do pass.

Which report was concurred in, and House bill No. 63, therein contained, was read a second time, and passed to a third reading on to-morrow.

Mr. Cason, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 186, a bill supplemental to "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the fines thereto, and certain forms to be used in such settlement," have had the same under consideration, and have directed me to report said bill back without amendment, and recommend its passage.

Which report was concurred in, and Senate bill No. 186, therein contained, was read a second time and ordered to be engrossed for a third reading on to-morrow.

Mr. Bennett, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 107, a bill to amend section 21 of an act entitled "an act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852, have had the same under consideration, and report the same back to the Senate, with the recommendation that the same do pass.

Which was concurred in, and House bill No. 170, therein contained, was read a second time and passed to a third reading on to-morrow.

Mr. Bennett, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 210, a bill to amend the second section of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof, approved March 5, 1859, providing for appeals in the case of persons applying for license to sell intoxicating liquors and for those remonstrating against such application under the provisions thereof, and to make a trial by jury in suits in relation thereto final, and authorizing appeals to the Supreme Court," have had the same under consideration, and report the same back to the Senate with the recommendation that the same do pass.

Which was concurred in, and the bill was read a second time and ordered to be engrossed for a third reading on to-morrow.

Mr. Howk, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 126, a bill proposing an amendment to the constitution of this State; providing for the submission of the same to a vote of the electors of this State at the October election for the year 1867, and

authorizing the Governor to issue his proclamation upon the ratification of said amendment declaring the same to be adopted and a part of the constitution," having duly considered the same respectfully recommend that the preamble of said bill be amended by striking out therefrom the words following, to-wit: "And, whereas, said proposed amendment has been agreed to by the present General Assembly" where they occur, and inserting in lieu thereof and in the same place, the words following, to-wit: "Which said proposed amendment the present General Assembly of the State of Indiana does hereby agree to and propose section one." And when so amended the Committee recommend the passage of said bill.

Which report was concurred in.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 138, "a bill in relation to the compounding and concealing of crimes, and the compounding of prosecutions and prescribing penalties therefor," recommend that it do pass.

Which report was concurred in.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred House bill No. 179, "a bill authorizing Clerks of the Circuit and Common Pleas Courts to try and determine suits of *habeas corpus*, issue writs of injunction and temporary restraining orders, and defining additional duties thereof," and

Senate bill No. 209, "a bill to authorize Clerks of Circuit Courts and Courts of Common Pleas to grant injunctions and to issue writs of *habeas corpus*, and to hear and try the same, and to provide for the trial thereby before the Judge, and to authorize appeals from such injunction orders,"

Have directed me to report them back, and recommend that they do lie on the table.

Which was concurred in.

Mr. Howk, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 91, "a bill vacating portions of highways located on county lines in cases therein specified," having duly considered the same, respectfully recommend that said bill be amended by striking out therefrom all of said bill after the enacting clause, and inserting in lieu thereof the following :

That in all cases in which any plank, macadamized, or gravel road shall have been, or may hereafter be, by any corporation or corporations, organized for the construction of any such roads, located by and with the consent duly given of the proper Board or Boards of County Commissioners, over and upon any highway or highways in the State, and such corporation or corporations, in the building or construction of any such plank, macadamized or gravel road or roads, shall have abandoned or may hereafter abandon the line of any such highway or highways, for any distance not exceeding one-half mile, and the distance for public travel shall not be thereby increased more than one-eighth mile, and the portion or portions of such highway or highways so abandoned shall be upon the land of one person only, and such abandonment shall have been made with the consent of the owner of the land, and by the vacation thereof no other public highway will be obstructed, such abandoned portion of such highway or highways shall be and the same are hereby vacated.

SECTION 2. There being now no statute vacating highways in the cases herein provided for, therefore this act shall be in force from and after its passage."

And when so amended the Committee recommend the passage of said bill.

Which report was concurred in and the amendment adopted.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, direct me to report back Senate

bill No. —. A bill to encourage the re-publication of Blackford's Reports, &c., and submit Senate bill No. 217. A bill to encourage the re-publication of Blackford's Reports, and appropriating money to pay for the same, as a substitute, and recommend its passage.

Which report was concurred in, and Senate bill No. 217, thus substituted, was read a first time and passed to a second reeding on tomorrow.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

A majority of the Committee on the Judiciary to whom was referred Senate bill No. 132, " bill to regulate the practice of dentistry in the State of Indiana," direct me to report Senate bill No. 216, " a bill to regulate the practice of dentistry in the State of Indiana," as a substitute for said bill, and recommend its passage.

Which report was concurred in and the substitute placed upon the files instead of Senate bill No. 122.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 196, " a bill authorizing the apportionment of three commissioners to inquire into the condition of the finances of the State, and matters pertaining thereto, defining the powers and duties of such commissioners and State officers, in relation thereto, and appertaining to the Legislative, Executive and Judicial departments of the government of the State, State officers, and the management and disbursement of the various funds of the State, and matters properly pertaining thereto," have had the same under consideration and have instructed me to report the same back to the Senate with a recommendation that it lie on the table.

Which report was concurred in.

Mr. Oyler, Chairman of the Committee on the Organization of Courts, made the following report :

MR. PRESIDENT:

The Committee on the Orgnization of Courts, to whom was referred House bill No. 175, a bill to amend an act entitled "An act providing for the election and qualification of Justices of the Peace and defining their jurisdiction, powers and duties in civil cases," approved June 9th, 1852, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, and recommend its passage.

Which report was concurred in and House bill No. 175, therein contained, was read a second time.

Mr. Oyler moved that the rule be suspended and the bill read a third time now.

The ayes and nays were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Beilamy, Bennett, Bonham, Bowman, Brown, Cason, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Reagan, Reynolds, Robinson, Sherrod, Smith, Staggs, Stein, Terry, Thompson, Vawter, Ward, Wolcott and Mr. President—37.

No Senator voting in the negative.

So the rules were suspended and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Gifford, Howk, Huey, Hyatt, Jaquess, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Reagan, Reynolds, Robinson, Sherrod, Smith, Staggs, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—32.

Those who voted in the negative were,

Messrs. English, Huffman, Humphreys, and Vawter--4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Gifford, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred House bill No. 99, a bill to empower the Board of County Commissioners, of the several counties of this State, to convey cemeteries to incorporated towns and cities, have had the same under consideration and direct me to report it back and recommend its passage.

Which was concurred in.

Mr. Hanna, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 188, a bill to amend the second paragraph of the sixth section of an act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto, approved December 21, 1858, have had the same under consideration and direct me to report that additional legislation is necessary, as the act of 1865 at the special session of the Legislature covers the same ground, and is sufficient, in the opinion of the committee, to recommend that this bill lie on the table.

Which was concurred in.

Mr. Hanna, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred House bill No. 189, a bill requiring all persons who plat towns or additions to any town or city in this State, to have the lands embraced in such addition or plats transferred for taxation by the Auditor of the county, and providing for taxing the same, have had the same under consideration and direct me to report it back to the Senate for action.

Which was concurred in.

Mr. Hanna, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 177, a bill to amend section eight of an act entitled an act to amend an act entitled an act authorizing the construction of plank, macadamized, and gravel roads, and to empower the same to make sale of a portion of their roads, have had the same under consideration and direct me to report the same back to the Senate and recommend its passage.

Which report was concurred in.

Mr. Cravens, Chairman of the Committee on Corporation made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 183, a bill to legalize the consolidation of railroads heretofore made, and declaring the law relating thereto and governing the same, have had the same under consideration and direct me to report it back to the Senate and recommend its passage.

Which report was concurred in.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill

No. 108, "an act to amend an act entitled an act for the incorporation of insurance companies, defining their powers, and prescribing their duties," approved June 17, 1852, have had the same under consideration, and direct me to report the same back to the Senate, and recommend its favorable consideration."

Which was concurred.

On motion by Mr. Thompson, the order of business was suspended, and

Senate bill No. 191. An act supplemental to an act entitled an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical, and building purposes, approved May 20, 1852, and providing that charters of existing companies shall not be forfeited for acts done prior to February 1, 1867.

Was taken up and read third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Mason, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Robinson, Sherrod, Smith, Staggs, Stein, Terry, Thompson, Turner, Vawter, Ward, Wolcott, and Mr. President—
36.

Mr. Hanna voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Ward, from the Committee on Roads, made the following report:

MR. PRESIDENT:

The Committee on Roads, to whom was referred House bill No. 101, a bill to amend the act entitled an act to amend the act entitled "an act authorizing the construction of plank, macadamized, and
S. J.—37.

gravel roads, and to empower the same to make sale of a portion of their roads," approved February 28, 1855, have had the same under consideration, and have directed me to report the bill back to the Senate, without amendment, and recommend its passage.

Which report was concurred in.

Mr. Milligan, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee to whom was referred House bill No. 148, a bill to amend the first section of an act entitled "an act for the protection of sidewalks in towns and villages, and for the preservation of shade trees planted along the same, approved March 3, 1859, so as to protect sidewalks outside of towns and villages," have had the same under consideration, and direct me to return said bill, and recommend its passage.

Which was concurred in, and House bill No. 148, therein contained, was read a second time, and passed to a third reading on to-morrow.

Mr. Bellamy, from the Committee on Phrasology and Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills, have examined Enrolled Senate bill No. 42, a bill defining what counties shall constitute the Seventh Judicial Circuit, and fixing the times of holding the courts therein, and have directed me to report that they have found said bill carefully and correctly enrolled.

On motion by Mr. Oyler, it was ordered that bills on third reading be made the special order for this afternoon at 2½ o'clock.

SPECIAL ORDERS.

Senate bill No. 139, a bill to carry into effect the benefits of an act of Congress, approved July 5, 1862, entitled "an act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts, and to establish and locate a College for the promotion of General Science,

and for the teaching of such branches of learning as are related to Agriculture and the Mechanic Arts and Military Tactics, and for the acceptance of donations for the benefit of such Colleges," and

Senate bill No. 157, "a bill creating, establishing and providing for the management and maintainance of Four Colleges of Agriculture and the Mechanic Arts, to be located at Indianapolis, Crawfordsville, Greencastle and Bloomington.

With reports of the committees thereon, were taken up.

Mr. Bennett moved to recommit, with the following instructions :

To recommit the bill to the Committee on Agriculture, with instructions to inquire into the expediency of memorializing Congress to pass an act authorizing the proceeds of the sale of the Agricultural land scrip to be placed to the credit of the Common School Funds, where any State shall so determine.

Mr. Stein moved to lay the motion to recommit with instructions on the table.

The ayes and noes were demanded by Messrs. Bennett and Hanna.

Those who voted in the affirmative were,

Messrs. Armstrong, Bonham, Brown, Cason, Church, Cravens, Hanna, Huffman, Mason, Milligan, Newlin, Oyler, Reynolds, Robinson, Stein, Vawter, Ward, and Wolcott—18.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bowman, English, Gifford, Howk, Huey, Humphreys, Hyatt, Jaquess, Reagan, Richmond, Sherrod, Smith, Staggs, Terry, Thompson, and Turner—17.

So the motion to recommit with instructions was laid upon the table.

Pending the consideration of the special order, on motion by Mr. Wolcott, the Senate took a recess until 2 o'clock P. M.

TWO O'CLOCK, P. M.

The Senate met.

Mr. Cravens asked and obtained leave of absence for Mr. Bennett.

Mr. Brown asked and obtained leave of absence for Mr. Noyes.

The Senate resumed the consideration of the special order pending when the recess was taken.

The question being on the motion of Mr. Cravens to substitute Senate bill No. 157, with the amendment adding South Hanover, for Senate bill No. 139, reported by the Special Joint Committee on Agricultural College.

The ayes and noes were demanded by Messrs. Oyler and Cravens.

Those who voted in the affirmative were,

Messrs. Bellamy, Brown, Cravens, English, Huffman, Hyatt, Johnson, Reagan, Sherrod, and Terry—10.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Cason, Gifford, Hanna, Howk, Huey, Humphreys, Jaquess, Mason, Milligan, Newlin, Oyler, Parrish, Reynolds, Richmond, Robinson, Smith, Staggs, Stein, Thompson, Turner, Vawter, Ward, Wolcott, and Mr. President—27.

So the motion did not prevail.

By unanimous consent of the Senate, Mr. Cason offered the following resolution :

Be it resolved, That in taking a vote on the location of the Agricultural College, the Senate will receive the suggestion of each and every place claiming the location of said College, and then proceed to vote for the location, and the place receiving a majority of all the votes of the Senate, shall be the place where said College shall be located, and bill No. 139 shall be so amended as to locate said College at the place so named.

Which was agreed to.

Mr. Bellamy moved to reconsider the vote adopting the foregoing resolution :

The ayes and noes were demanded by Messrs. Hanna and Turner.

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bowman, Cason, Cravens, English, Gifford, Howk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Milligan, Reagan, Sherrod, Smith, Stein, Thompson, Turner, Vawter, and Mr. President—21.

Those who voted in the negative were,

Messrs. Armstrong, Brown, Church, Hanna, Huffman, Mason, Newlin, Oyler, Parrish, Reynolds, Richmond, Robinson, Staggs, Terry, Ward, and Wolcott—16.

So the vote was reconsidered.

Mr. Cravens moved to amend so as to make it read a majority of the whole Senate.

Which was agreed to.

The resolution as amended was then adopted.

Mr. Cravens then moved that the roll be called, and that each Senator answer and give his choice for the location of the Agricultural College.

Which was agreed to.

The roll of the Senate was called with the following result :

Those who voted for Tippecanoe Battle Ground were,

Messrs. Armstrong, Cason, Church, Hanna, Huey, Mason, Milligan, Newlin, Parrish, Reynolds, Robinson, Staggs, Stein, Wolcott, and Mr. President—15.

Those who voted for Indianapolis were,

Messrs. Bellamy, Brown, English, Huffman, Hyatt, Thompson, and Ward—7.

Those who voted for the Shoals were,

Messrs. Barker, Humphreys, Johnson, and Turner—4.

Those who voted for New Albany were,

Messrs. Howk and Sherrod—2.

Mr. Jaquess voted for Evansville.

Mr. Oyler voted for Franklin.

Mr. Vawter voted for Vernon.

Mr. Terry voted for Michigan City.

Mr. Smith voted for Fort Wayne.

Mr. Bowman voted for Salem.

Mr. Cravens voted for the University at Bloomington.

There being no decision, the roll of the Senate was again called with the following result :

Those who voted for the Battle Ground were,

Messrs. Armstrong, Brown, Cason, Church, Cravens, Hanna, Mason, Milligan, Newlin, Parrish, Reynolds, Richmond, Robinson, Staggs, Stein, Wolcott, and Mr. President—17.

Those who voted for Indianapolis were,

Messrs. Bellamy, English, Huey, Huffman, Hyatt, Thompson, and Ward—7.

Those who voted for Vincennes were,

Messrs. Barker, Humphreys, and Turner—3.

Those who voted for New Albany were,

Messrs. Howk and Sherrod—2.

Those who voted for Knightstown were,

Messrs. Gifford and Reagan—2.

Mr. Smith voted for Fort Wayne.

Mr. Vawter voted for Seymour.

Mr. Oyler voted for Centertown.

Mr. Jaquess voted for Poseyville.

Mr. Johnson voted for Rockford.

Mr. Bowman voted for Corydon.

Mr. Robinson asked and obtained leave of absence for Mr. Hyatt.

Mr. Church offered the following resolution:

Resolved, That after the next ballot all places except the three having the highest number of votes be dropped from the list.

Which was adopted.

There being no decision the roll was again called, with the following result:

Those who voted for the Tippecanoe Battle Ground were,

Messrs. Armstrong, Cason, Church, Cravens, Hanna, Mason, Milligan, Oyler, Parrish, Reynolds, Richmond, Robinson, Staggs, Stein, Wolcott, and Mr. President—16.

Those who voted for Indianapolis were,

Messrs. Brown, English, Gifford, Huey, Huffman, Hyatt, Reagan, Smith, Thompson, and Ward—10.

Those who voted for New Albany were,

Messrs. Bowman, Howk, Humphreys, and Sherrod—4.

Those who voted for Bloomington were,

Messrs. Jaquess and Johnson—2.

Those who voted for Terre Haute were,

Messrs. Barker and Turner—2.

Mr. Bellamy voted for Vevay.

Mr. Newlin voted for Independence.

Mr. Vawter voted for Brownstown.

There being no decision the roll of Senators was again called, with the following result :

Those who voted for the Battle Ground were,

Messrs. Armstrong, Cason, Church, Cravens, Hanna, Jaquess, Mason, Milligan, Newlin, Oyler, Parrish, Reynolds, Richmond, Robinson, Staggs, Stein, Terry, Vawter, Wolcott, and Mr. President—20.

Those who voted for Indianapolis were,

Messrs. Bellamy, Brown, Huey, Huffman, Hyatt, Johnson, Reagan, Smith, Thompson, and Ward—10.

Those who voted for New Albany were,

Messrs. Barker, Bowman, English, Gifford, Howk, Humphreys, Sherrod, and Turner—8.

Mr. Terry moved that after the next ballot the lowest named places be stricken from the list.

Which was agreed to.

There being no decision the roll of Senators was again called, with the following result :

Those who voted for the Battle Ground were,

Messrs. Armstrong, Cason, Church, Cravens, Hanna, Jaquess, Johnson, Mason, Milligan, Newlin, Oyler, Parrish, Reynolds, Richmond, Robinson, Staggs, Stein, Terry, Vawter, Wolcott, and Mr. President—21.

Those who voted for Indianapolis were,

Messrs. Bellamy, Brown, Huey, Huffman, Hyatt, Reagan, Smith, Thompson, Turner, and Ward—10.

Those who voted for New Albany were,

Messrs. Barker, Bowman, English, Howk, Humphreys, and Sherrod—7.

There being no decision the roll of Senators was again called, with the following result :

Those who voted for the Battle Ground were,

Messrs. Armstrong, Brown, Cason, Church, Cravens, Hanna, Jaquess, Mason, Milligan, Newlin, Oyler, Parrish, Reynolds, Richmond, Robinson, Staggs, Stein, Terry, Vawter, Wolcott, and Mr. President—21.

Those who voted for Indianapolis were,

Messrs. Barker, Bellamy, Bowman, English, Gifford, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Reagan, Sherrod, Smith, Thompson, Turner, and Ward—17.

There being no decision the roll was again called with the following result :

Those who voted for the Battle Ground were,

Messrs. Armstrong, Cason, Church, Cravens, Hanna, Jaquess, Mason, Milligan, Newlin, Oyler, Parrish, Reynolds, Richmond, Robinson, Staggs, Stein, Terry, Vawter, Wolcott and Mr. President—20.

Those who voted for Indianapolis were,

Messrs. Barker, Bellamy, Bowman, Brown, English, Gifford, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Reagan, Sherrod, Smith, Thompson, Turner and Ward—18.

Pending the further call of the roll, Mr. Oyler moved to postpone the further consideration of the special order, until next Tuesday at half past two o'clock, and that it be made the special order for that hour.

Which was agreed to.

SPECIAL ORDER.

SENATE BILLS ON THIRD READING.

Senate bill No. 94. "A bill to provide for the protection of fur bearing animals."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Brown, Cason, Church, Cravens, Gifford, Jaquess, Johnson, Newlin, Oyler, Parrish, Reagan, Richmond, Robinson, Ward, Wolcott and Mr. President—17.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, English, Hanna, Howk, Huey, Huffman, Humphreys, Hyatt, Mason, Milligan, Sherrod, Smith, Staggs, Stein, Terry, Thompson, Turner and Vawter—20.

So the bill did not pass, for want of a constitutional majority.

Senate bill No. 96. A bill to amend the seven hundred and sixteenth sections of an act entitled "an act concerning the writ of *habeas corpus*."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Mason, Milligan, Newlin, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Thompson, Turner, Vawter, Ward, Wolcott and Mr. President—37.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended and the following bills were introduced:

By Mr. Richmond,

"A bill directing the State and County Officers to receive certain certificates in payment as money."

Which was read a first time and referred to the Committee on Canals and Internal Improvements.

By Mr. Taggart,

Senate bill No. 219. "A bill for the relief of Alfred Williams, Treasurer of Brown county, in the State of Indiana.

Which was read a first time and referred to the Committee on Claims.

Mr. Jaquess introduced

Senate bill No. 220. A bill to amend an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State.

Which was read a first time and referred to the Committee on Finance.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Vawter introduced the following resolution :

Resolved, That when the Senate adjourn, it adjourn to meet at 2 o'clock Monday next.

The ayes and noes were demanded by Messrs. Vawter and Oyler.

Those who voted in the affirmative were,

Messrs. Bowman, Church, Cravens, Howk, Humphreys, Parrish, Reagan, Smith, Stein, Terry, Turner, Vawter, Wolcott, and Mr. President—14.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Cason, English, Gifford, Hanna, Huey, Huffman, Hyatt, Jaquess, Johnson, Milligan, Newlin, Oyler, Reynolds, Richmond, Robinson, Sherrod, Staggs, Thompson, and Ward—22.

So the resolution was not agreed to.

Mr. Sherrod asked and obtained leave of absence for Mr. Howk.

Mr. Richmond moved that leave of absence be granted to the Committee on Prisons for Wednesday and Thursday next.¹

Which was agreed to.

Senate bill No. 97. A bill designating certain holidays and relative to negotiable paper falling due thereon.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, Church, Cravens, English, Gifford, Howk, Huffman, Hyatt, Jaquess, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Stein, Thompson, Ward, Wolcott, and Mr. President—24.

Those who voted in the negative were,

Messrs. Barker, Hanna, Huey, Humphreys, Johnson, Newlin, Smith, Staggs, Terry, Turner, and Vawter—11.

So the bill did not pass for want of a constitutional majority.

Senate bill No. 100. A bill limiting the liability of inn keepers.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Brown, Church, English, Gifford, Hanna, Huey, Huffman, Humphreys, Jaquess, Johnson, Newlin, Oyler, Reagan, Richmond, Smith, Stein, Turner, Wolcott, and Mr. President—20.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Cason, Cravens, Hyatt, Miligan, Parrish, Reynolds, Robinson, Sherrod, Staggs, Terry, Thompson, Vawter, and Ward—16.

So the bill did not pass for want of a constitutional majority.

Senate bill 103. A bill to prevent persons from injuring or destroying insured property, and for making false proofs thereof, and prescribing penalties for the same.

Which was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Milligan, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—33.

Mr. Vawter voted in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 104. "A bill conferring upon Bishops certain corporate powers, and defining and limiting their rights powers and duties under this act."

Was read a third time, and on motion by Mr. Wolcott laid on the table.

Senate bill No. 105. A bill to amend sections five of an act entitled "An act providing for the organization of Circuit Courts, the election of Judges thereof and defining their powers and duties," approved June 1, 1852, and providing for Criminal and Civil Circuit Courts, approved December 20, 1865.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Cason, Church, Cravens, English, Reagan, Richmond, Smith, Stein, Thompson, Vawter, Ward, Wolcott, and Mr. President—19.

Those who voted in the negative were,

Messrs. Barker, Bowman, Hanna, Huey, Huffman, Humphreys, Hyatt, Johnson, Milligan, Newlin, Reynolds, Robinson, Sherrod, Staggs, and Turner—15.

So the bill did not pass for want of a constitutional majority.

Mr. Hanna demanded a call of the Senate.

The Secretary proceeded with the call.

The following Senators answered to their names.

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Milligan, Newlin, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Terry, Thompson, Vawter, Ward, Wolcott, and Mr. President—34.

On motion by Mr. Hanna, the further call of the Senate was dispensed with.

By unanimous consent of the Senate, Mr. Parrish offered the following resolution:

“Resolved, That when the Senate adjourns, it be until Monday at 2 o'clock P. M.”

The ayes and noes were demanded by Messrs. Hanna and Mason.

Those who voted in the affirmative were,

Messrs. Bowman, Brown, Church, Cravens, English, Hyatt, Parrish, Reagan, Richmond, Smith, Terry, Vawter, Ward, and Mr. President—14.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Cason, Gifford, Hanna, Huey, Huffman, Humphreys, Jaquess, Johnson, Milligan, Newlin, Reynolds, Robinson, Sherrod, Staggs, Stein, Thompson, Turner, and Wolcott—21.

So the resolution was not agreed to.

By unanimous consent, Mr. Wolcott, from a Select Committee, made the following report:

MR. PRESIDENT:

The Special Committee, to whom was referred Senate bill No. 198, a bill to amend sections twenty-five and eighty-eight of an act entitled "an act dividing the State into counties, defining the jurisdiction of such as border on the Ohio and Wabash rivers, approved June 7, 1852, and to provide jurisdiction, and for collection of certain taxes in the Territory aforesaid," have considered the same, and with the accompany amendments respectfully recommend its passage.

Which report was concurred in.

Senate bill No. 38, a bill to amend section twenty of an act entitled an act to amend an act entitled an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto, approved January 20, 1865,"

Was taken up.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Church, Cravens, English, Gifford, Huffman, Humphreys, Hyatt, Jaquess, Milligan, Newlin, Oyler, Reagan, Richmond, Robinson, Smith, Staggs, Stein, Thompson, Turner, Vawter, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Cason, Hanna, Huey, Johnson, Parrish, Reynolds, Sherrod, and Terry—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Richmond, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 47, a bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops," have had the same under consideration, and have directed me to report the same back to the Senate with the following amendments :

Strike out the words, "whenever a majority of the legal voters thereof shall not object to the same, may, upon petition of one-fourth of such legal voters," and insert the following :

"And whenever a majority of the resident tax payers thereof shall petition in writing, may," and when so amended your Committee would recommend the passage of said bill.

Which was concurred in.

By unanimous consent, Mr. Cason, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred Senate bill No. 59, a bill to amend sections 1, 5, 7, 12, 14, 16, 18, 25, 26, 28, and 40, of an act entitled "an act to provide for the general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing matters therein prescribed, approved March 6, 1865, and to add supplementary sections to said act, have had the same under consideration, and have directed me to report said bill back, with the recommendation that it lie on the table, there having been a bill reported by said Committee upon the same subject, and including the substance of the proposed amendments.

Which report was concurred in.

Pending the reading of Senate bill No. 114. A bill to amend an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and mat-

ters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto.

Mr. Vawter moved to adjourn.

The ayes and noes were demanded by ten Senators.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Cason, Cravens, English, Huffman, Johnson, Reagan, Richmond, Stein, Thompson, Turner, Vawter, Ward, and Mr. President—15.

Those who voted in the negative were,

Messrs. Barker, Brown, Church, Gifford, Hanna, Huey, Humphreys, Hyatt, Jaquess, Milligan, Newlin, Oyler, Parrish, Reynolds, Robinson, Sherrod, Smith, Staggs, Terry, and Wolcott—20.

So the motion was not agreed to.

Mr. Vawter moved to postpone the further consideration of the bill until Monday at half past two o'clock, and that it be made the special order for that hour.

Which was agreed to.

Pending the reading of Senate bill No. 115. A bill entitled an act to provide by law for draining and ditching low, wet, and overflowed lands in the State of Indiana.

On motion by Mr. Smith, it was laid on the table.

Senate bill No. 118. A bill to require clerks of the Court of Common Pleas to specify, by separate items, the fees and services for which they demand payment of Executors, Administrators, or Guardians.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Church,
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Cravens, English, Gifford, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Milligan, Newlin, Oyler, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Thompson, Turner, Vawter, Ward, Wolcott, and Mr. President—32.

Those who voted in the negative were,

Messrs. Cason, Hanna, Parrish, and Terry—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Gifford moved that the Senate do now adjourn.

The ayes and noes were demanded by ten Senators.

Those who voted in the affirmative were,

Messrs. Huffman, Jaquess, Johnson, Newlin, Smith, Stein, Thompson, Turner, Vawter, and Ward—10.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Huey, Humphreys, Hyatt, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Staggs, Terry, Wolcott, and Mr. President—25.

So the motion to adjourn did not prevail.

Senate bill No. 119. A bill amending the thirteenth section of the act approved June 4, 1861, entitled an act to provide for the incorporation of Street Railroad Companies.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Church, Cravens, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Milligan, Newlin, Oyler, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Staggs, Terry, Thompson, Ward, Wolcott, and Mr. President—32.

Those who voted in the negative were,

Messrs. Parrish, Stein, and Vawter—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Church moved to change the days of the leave of absence for Prison Committee to Monday and Tuesday.

Mr. Oyler raised a point of order.

Which Mr. Richmond, in the chair, overruled.

Messrs. Oyler and Bellamy appealed from the decision of the chair as follows :

The Senator from Porter moved that the Committee on Prisons have leave of absence for next Monday and Tuesday.

The Senator from Johnson raised the point of order, as the Senate have on this day passed upon the question, upon the motion of the Senator from Howard, and adopted an amendment to the same, substituting Wednesday and Thursday next, except by reconsideration of that vote.

The President decided the motion of the Senator from Porter in order — from which ruling the Senators from Johnson and Switzerland most respectfully appeal to the Senate.

Mr. Vawter moved to lay the appeal on the table.

Which was agreed to.

The question recurring on motion of Mr. Church.

The ayes and noes were demanded by Messrs. Hanna and Oyler.

Those who voted in the affirmative were,

Messrs. Armstrong, Bowman, Brown, Church, English, Gifford, Huey, Hyatt, Jaquess, Reagan, Reynolds, Richmond, Smith, Stein, Terry, Turner, Vawter, Ward, Wolcott, and Mr. President—20.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Cason, Cravens, Hanna, Huffman, Humphreys, Johnson, Milligan, Newlin, Oyler, Parrish, Robinson, Sherrod, Staggs, and Thompson—16.

So the motion prevailed.

A message from the Governor, by John M. Commons, his Private Secretary :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, Feb. 22, 1867. }

MR. PRESIDENT :

I am directed by Governor Baker, to inform your honorable body that he has approved and signed Enrolled Act No. 7, "an act to repeal an act entitled, an act to enforce the thirteenth article of the Constitution," and that the same has been deposited in the office of the Secretary of State.

Mr. Cumback moved to adjourn.

The ayes and noes were demanded by five Senators.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Cason, Gifford, Huey, Huffman, Jaquess, Johnson, Milligan, Newlin, Smith, Stein, Thompson, Turner, Vawter, Ward, and Wolcott—18.

Those who voted in the negative were,

Messrs. Barker, Bowman, Brown, Church, Cravens, Hanna, Humphreys, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Staggs, and Terry—17.

So the motion to adjourn was agreed to.

SATURDAY MORNING, 9 o'clock, }
February 23, 1867.

The Senate met.

The Journal of yesterday was read.

By unanimous consent of the Senate, Mr. Cravens offered the following resolution :

Resolved, That when the Senate adjourn, it adjourn to meet again on Monday next, at 2 o'clock P. M.

Which was adopted.

REPORTS FROM STANDING COMMITTEES.

Mr. Church, from the Committee on Enrolled Bills, presented the following report :

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills, and Enrolled Bills, have had under consideration Enrolled Senate bill No. 166, "a bill to fix the number of Senators and Representatives of the General Assembly of the State of Indiana, and to apportion the same among the several Counties of the State," and find the same carefully and correctly enrolled.

Which report was concurred in.

Mr. Cason, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred the memorial of the citizens of Boone and Fayette counties, in relation to the black laws of this State, have had the same under consideration, and have directed me to report said memorials back with the recommendation that they do lie on the table, the Senate having already acted in relation to that subject.

Which was concurred in.

Mr. Ward, from the Committee on Roads, made the following report :

MR. PRESIDENT :

The Committee on Roads, to whom was referred Senate bill No. 135, "an act vacating portions of highways in certain cases," have had the same under consideration, and have directed me to report the bill back and recommend that it lie on the table, there being no further legislation necessary in the opinion of the Committee.

Which report was concurred in.

Mr. Cason, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred the proceedings and resolutions of a meeting of the citizens of Sharpsville, in relation to the location of the Agricultural and Mechanical College, have had the same under consideration and have directed me to report that said Committee have heretofore reported in relation to the subject a bill now before the Senate, and would therefore recommend that the said proceedings and resolutions of said meeting do lie on the table.

Which report was concurred in.

Mr. Cason, from the Committee on Federal Relations, made the following report :

MR. PRESIDENT :

The Committee on Federal Relations, to whom was referred House Joint Resolution No. 11, "a Joint Resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a law placing the surviving soldiers of the war of 1812, (who have not received any pension from the Government,) upon the pension rolls," have had the same under consideration, and have directed me to report said resolution to the Senate with the recommendation that the same do pass.

Which report was concurred in.

The following message from the Governor, and accompanying report of General John L. Mansfield, were taken up :

To the Senate and House of Representatives :

I herewith respectfully transmit the Biennial Report of Major-General John L. Mansfield of the condition of the Indiana Militia, he being the senior Major-General, and earnestly commend to your consideration his suggestions as to the inefficiency of the present system and the inadequacy of existing legislation.

It is devoutly to be hoped that the blessings of peace may be continuous, but it would not be the part of wisdom to act upon the assumption that such will be the case. Every State should have a well organized militia to the end that the public peace may be preserved and the laws enforced whenever circumstances arise rendering the civil authorities incompetent to the performance of that duty. If the necessary legislation should be adopted, the present would seem to be an auspicious time for the organization of an efficient militia. The military spirit engendered by the late struggle, to some extent, still exists, and many of those who recently returned from the field would take pride in making the knowledge and experience gained in the service useful to the State.

I trust that the entire subject will receive such consideration from the General Assembly as its importance deserves and the obvious inefficiency of the present system demands.

CONRAD BAKER.

On motion by Mr. Oyler, the report was referred to the Committee on Military Affairs.

HOUSE BILLS ON FIRST READING.

House bill No. 13. A bill to create the Eighteenth Judicial Circuit of the State of Indiana.

Was read a first time, and referred to the Committee on Organization of Courts.

House bill No. 23. "A bill to enable the owner of wet lands to drain and reclaim them where the same cannot be done without affecting the lands of others, prescribing the powers and duties of County

Boards and County Auditors in the premises, and repealing all laws inconsistent therewith."

Was read a first time, and referred to the Committee on Swamp Lands.

House bill No. 89. A bill to provide for the construction of sewers within incorporated towns, defining the powers and duties of Town Trustees in relation thereto, and to repeal all laws in conflict therewith.

Was read a first time, and referred to the Committee on Swamp Lands.

House bill No. 159. A bill to amend sections six hundred and forty-nine and six hundred and fifty of the act entitled "An act to revise, simplify, and abridge the rules, practice, and pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a first time, and referred to the Committee on the Judiciary.

By unanimous consent of the Senate, on motion by Mr. Vawter,

Senate bill No. 217. A bill to regulate the practice of dentistry in the State of Indiana.

Was taken up.

Mr. Berry offered the following amendment:

Insert after the word "dentist" in first section, "medicine and surgery."

Mr. Vawter moved to lay the amendment on the table.

Which was agreed to.

The bill was then ordered to be engrossed for a third reading on tomorrow.

By unanimous consent of the Senate,

Senate bill No. 183. A bill legalizing the consolidation of railroads heretofore made, and declaring the law relating thereto and governing the same.

Was read a second time, and

On motion by Mr. Oyler, the further consideration of the bill was postponed until Tuesday next at ten o'clock A. M., and made the special order for that hour.

By unanimous consent,

House bill No. 101. "A bill to amend the act entitled an act to amend the act entitled an act authorizing the construction of plank, macadamized and gravel roads, and to empower the same to make sale of a portion of their roads, approved February 28th, 1855."

Was read a second time and passed to its third reading on to-morrow.

SENATE BILLS ON SECOND READING.

Senate bill No. 47. "A bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops."

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 84. "A bill relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries."

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 126. "A bill proposing an amendment to the Constitution of this State, providing for the submission of the same to a vote of the electors of this State at the October election for the year 1867, and authorizing the Governor to issue his proclamation upon the ratification of said amendment, declaring the same to be adopted and a part of the Constitution."

Was read a second time.

Mr. Wolcott moved to recommit the bill to a Select Committee of five, with instructions to inquire into the expediency of a more general amendment of the Constitution.

Which was agreed to.

The President appointed Messrs. Wolcott, Howk, Oyler, Robinson and Turner said Special Committee.

Senate bill No. 154. A bill to revise and amend the sixth section of an act entitled "an act granting to the citizens of the town of Evansville, in the county of Vanderburg, a city charter," approved January 27, 1847.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 177. A bill to amend section eight of an act entitled an act to amend act "an act authorizing the construction of plank, macadamized and gravel roads, and to empower the same to make sale of a portion of their roads."

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. No. 215. A bill for an act to prevent the spread of the disease commonly called "hog cholera," and other diseases among domestic animals.

Was read a second time, and referred to the Committee on Agriculture.

Senate bill No. 200. A bill approving the action of Thomas B. McCarty, Auditor of State, in settling and saving to the State of Indiana \$2,262 08, occasioned by the defalcation of the Treasurer of Pulaski county, on account of the Swamp Land Fund, and authorizing him to dispose of certain lands acquired thereby for the benefit of the State.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 216. A bill to encourage the re-publication of Blackford's Reports, and appropriating money to pay for the same.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 198. A bill to amend sections twenty-five and eighty-eight of an act entitled an act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers, approved June 7, 1852, and to provide jurisdiction, and for collection of certain taxes in the territory aforesaid.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 108. A bill to amend an act entitled an act for the incorporation of insurance companies, defining their powers, and prescribing their duties, approved June 17, 1852.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 153. A bill to provide for the incorporation of religious societies, and defining their powers.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

HOUSE BILLS ON SECOND READING.

House bill No. 4. A bill to amend section twenty of the act regulating the fees of officers and repealing former acts in relation thereto, approved March 2, 1855.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 99. A bill to empower the Board of County Commissioners of the several counties of this State to convey cemeteries to incorporated towns and cities.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 18. A bill to amend section No. 15, and to repeal sections Nos. 29 and 30 of an act regulating general elections, and

prescribing duties of the officers in relation thereto, approved June 7, 1852, and prescribing further duties of the officers.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 53. A bill fixing the time of holding the Common Pleas Court in the county of Grant.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 17. "A bill in relation to conveyances of land by persons of unsound mind."

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 39. "A bill to legalize and declare valid and effectual all the orders, judgments and other proceedings made, rendered and had by and before the Common Pleas Court of Clinton county in this State, held in the Court House of said county in the months of October and November, in the year one thousand eight hundred and sixty-five, and, then and there, by and before the several Judges of the said Court."

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 40. A bill to amend an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 72. An act to amend an act entitled "An act to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each of said Prisons; directing what counties shall send their convicts to the Northern State Prison, and providing for carrying on

the work in building said Northern State Prison and making appropriations for the support of said Prison."

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 91. "A bill vacating portions of highways located on county lines in cases therein specified."

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 83. "A bill for the protection of wild game, defining the time in which the same may be taken or killed and declaring the penalty for the violation of this act, repealing all laws inconsistent herewith, and declaring an emergency."

Was read a second time.

Mr. Church moved to reconsider the vote adopting the amendment reported by the Committee.

Which was agreed to.

The question then being on the adoption of the amendment.

It was not agreed to.

The bill then passed to a third reading on to-morrow.

House bill No. 93. "A bill forbidding the locking of railroad cars in certain cases, and providing punishment therefor."

Was read a second time, and laid on the table.

House bill No. 96. "A bill authorizing the Board of Trustees of incorporated towns to establish fire limits, and to prevent the erection of wooden buildings within such limits."

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 144. "A bill to prevent the spread of disease among sheep."

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 130. A bill to amend section twenty-eight of an act entitled "An act defining felonies and prescribing punishment therefor," approved June 10, 1862.

Was read a second time, and passed to a third reading on tomorrow.

House bill No. 158. A bill in relation to the compounding and concealing of crimes, and the compounding of prosecutions, and prescribing penalties thereof.

Was read a second time and passed to a third reading on tomorrow.

House bill No. 185. A bill to amend the forty-fifth section of an act entitled an act to provide for the opening, vacating, and change of highways, approved June 17, 1852.

Was read a second time and passed to a third reading on tomorrow.

House bill No. 177. A bill to amend the third section of an act repealing all generall laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall ezercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified, December 20, 1865.

Was read a second time and ordered to be returned to the House for amendment by inserting an enacting clause.

House bill No. 189. A bill requiring all persons who plat towns or additions to any town or city in this State, to have the lands embraced in such addition or plats transferred for taxation by the Auditor of the county and providing for taxing the same.

Was read a second time and passed to a third reading on tomorrow.

HOUSE JOINT RESOLUTIONS, SECOND READING.

House Joint Resolution No. 2. A joint resolution instructing our Senators and requesting our Representatives in Congress to use their

influence to have the interest bearing debt of the United States first paid.

Was read a second time and passed to a third reading on tomorrow.

House Joint Resolution No. 11. A joint resolution instructing our Senators, and requesting our Representatives in Congress, to secure the passage of a law placing the surviving soldiers of the war of 1812, who have not received any pensions from the Government, upon the pension rolls.

Was read a second time.

Mr. Bellamy offered the following amendment to Joint Resolution No. 11:

Provided, They did not in anywise aid or abet the late rebellion.
Which was adopted.

The Joint Resolution was then passed to a second reading on tomorrow.

Mr. Church moved to reconsider the vote on the resolution to adjourn until Monday at 2 o'clock P. M.

Which was agreed to.

Mr. Church moved to amend by inserting Tuesday morning at 9 o'clock.

Which was agreed to.

The resolution as amended was adopted.

Mr. Gifford asked and obtained leave of absence for Messrs. Milligan and Reynolds.

Mr. Smith asked and obtained leave of absence for Mr. Sherrod.

Mr. Robinson offered the following resolution:

Resolved, That on and after Monday next no leave of absence will be granted to any Senator except on account of sickness.

Mr. Church moved to lay the resolution on the table.

Which was agreed to.

Mr. Thompson was excused from service on Prison Committee, and the President appointed Mr. Wolcott in his stead.

On motion by Mr. Johnson, the Senate adjourned.

TUESDAY MORNING, 9 o'clock, }
February 26, 1867. }

The Senate met.

On motion by Mr. Bellamy, the reading of the Journal was dispensed with.

Mr. Stein presented several remonstrances from the citizens of Warren county, which were ordered to be filed with Senate bill No. 198.

REPORTS OF STANDING COMMITTEES.

Mr. Stein, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 93, introduced by Senator Brown, entitled, "a bill to amend section one of an act entitled, an act concerning interest on money," approved May 27, 1852, have had the same under consideration, and have instructed me to report it back with the following amendments:

After section 1, insert the following section viz:

SECTION 2: All interest exceeding the rate of ten per centum per annum shall be deemed usurious and illegal as to the excess only, and in any action upon a contract affected by such usury, such excess may be accouped by the defendant where it has been reserved, or paid before the bringing of the suit. Provided that nothing herein contained shall affect the loan of public funds, nor interest on purchase money of Canal, College, School or Saline Funds.

2. Change the number of section "two" to section "three."

3. Amend the title by adding "and to provide for the recoupment of usurious interest."

These amendments being adopted, the Committee recommend that the bill do pass?

Which report was concurred in, and the amendments adopted.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 78, "a bill regulating interest on money; to repeal all laws in conflict with this act, and to repeal the fifty-first section of the act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852, have had the same under consideration, and have instructed me to report it to the Senate, with the recommendation that it do lie upon the table, for the reason that all the subjects embraced in the bill upon which it was deemed expedient to have legislation, are embraced in Senate bill No. 98, and the amendments proposed to the same by the Committee.

Which report was concurred in.

Mr. Huey, from the Committee on the Rights and Privileges of the Inhabitants of the State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of the State, to whom was referred Senate bill No. 199, "a bill to amend an act entitled an act declaratory of law, the regulating marriage, and enforcing the provisions thereof by proper penalties," have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it be indefinitely postponed.

Which was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Joint Resolution No. 3, declaring that in the opinion of the General Assembly of the State of Indiana was, at the time of the arrest of the conspira-

tors, Dodd, Milligan, Bowles, and Horsey, in a state of war, the decision of the Supreme Court of the United States to the contrary notwithstanding," have had the same under consideration, and now report it back to the Senate with recommendation that it lie on the table.

Which report was concurred in.

Mr. Vawter from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 170, "a bill to amend section seventy of an act entitled an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers, and duties in civil cases," approved June 9, 1852, have had the same under consideration and now report it back to the Senate, recommending its passage.

Which was concurred in.

Mr. Vawter, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 205, a bill to amend section one hundred and thirty-two of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852, have had the same under consideration and now report it back to the Senate with the recommendation that it lie on the table.

Which was concurred in.

Mr. Mason, from the Committee on the Judiciary, presented the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill

No. 159, a bill to amend sections six hundred and forty-nine and six hundred and fifty, of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852, have had the same under consideration and report the same back to the Senate with the recommendation that it be referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Which report was concurred in, and House bill No. 159 was referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Mason, from the Committee on the Judiciary, presented the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 99, entitled "a bill giving creditors of persons who are insured and burn out, a lean on policies for their debts," have had the same under consideration and now report it back to the Senate with the recommendation that it lie on the table."

Which report was concurred in.

Mr. Mason, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 193, a bill to amend section 28 of an act entitled "an act defining felonies, and prescribing penalties therefor" approved June 10th, 1852, have had the same under consideration, and inasmuch as Senate bill No. 128, the passage whereof the committee have recommended, covers the same ground, they have directed me report the bill back to the Senate with the recommendation that it lie on the table.

Which was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 67, a bill to amend an act entitled " an act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State," have had the same under consideration and now report it back to the Senate with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 51, a bill to regulate the responsibility of inn keepers, have had the same under consideration, and now report the same back to the Senate with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Stein, from the Committee on the Judiciary, presented the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 207, a bill requiring certain officers of the State to make reports, and providing for the publication thereof, have had the same under consideration, and report it back to the Senate, recommending its passage.

Which was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 18, a bill providing in what manner property shall be sold on

execution, or under process of any court in this State, have had the same under consideration, and now report it back to the Senate, with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 195, a bill to cure defection or illegal bonds of executors and administrators, and their sureties, have had the same under consideration, and now report it back to the Senate, recommending its passage.

Which was concurred in.

Mr. Vawter, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 211, a bill to amend an act entitled an act to amend section three hundred and fifty-two of an act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in civil cases in the Courts of this State ; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852, approved March 9, 1861, have had the same under consideration, and now report it back to the Senate, recommending its passage.

Which report was concurred.

Mr. Vawter, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 128, a bill to amend section twenty-eight of an act entitled an act defining felonies, and prescribing punishment therefor, approved

June 10, 1852, have had the same under consideration, and now report it back to the Senate, recommending its passage.

Which report was concurred in.

Mr. Vawter, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 83, entitled "An act to amend the forty-first section of an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, have had the same under consideration, and now report it back to the Senate with the recommendation that it lie on the table.

Which was concurred in.

BILLS INTRODUCED.

Mr. Robinson introduced

Senate bill No. 221. "A bill to provide for the registration of births, marriages and deaths."

Which was read a first time, and referred to the Committee on Rights and Privileges of the Inhabitants of the State.

Mr. Cullen introduced

Senate bill No. 222. "A bill to allow persons charged with crime to testify in any of the Courts of this State."

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Bellamy introduced

Senate bill No. 224. A bill to amend section sixteen of an act entitled "An act for the government of the Indiana Hospital for the Insane and the insane of Indiana," approved January 15, 1852."

Which was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By unanimous consent of the Senate,

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House passed the following engrossed bill thereof, to-wit :

Engrossed House bill No. 142. Entitled a bill authorizing the Board of Directors of street railway companies to raise funds to discharge the indebtedness of such companies by making a pro rata assessment against stockholders ; to make needful rules in relation thereto ; to issue preferred stock in certain cases and in relation to the individual liability of stockholders.

Was taken up and House bill No. 142, therein contained, was read a first time, and referred to the Committee on Corporations.

Mr. Terry asked and obtained leave to return Senate bill No. 89, "A bill to provide for the construction of sewers within incorporated towns, defining the powers and duties of Township Trustees in relation thereto, and to repeal all laws in conflict therewith," from the Committee on Swamp Lands to whom it had been referred, as ordered by the Senate, to the Committee on Corporations.

MESSAGES FROM THE HOUSE.

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House concurred in the Senate concurrent resolution in relation to giving copies of the Adjutant General's Report to persons in the employ of the Senate and House who served in the army during the war for the suppression of the late rebellion, with the following amendment :

"And that said volumes be taken from those ordered to be deposited in the State Library."

And it is respectfully requested that the Senate concur therein.

And the amendment therein contained was concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, on motion by Mr. Oyler, House bill No. 93, "a bill prohibiting the locking of railroad cars in certain cases, and providing punishment therefor."

Was taken from the table, read a second time, and passed to a third reading on to-morrow.

SPECIAL ORDER.

Senate bill No. 139, "a bill to carry into effect the benefits of an act of Congress, approved July 5th, 1862, entitled "an act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts; and to establish and locate Colleges for the promotion of General Science, and for the teaching of such branches of learning as are related to Agriculture and the Mechanic Arts and Military Tactics; and for the acceptance of donations for the benefit of such College," and the report of the Committee thereon, the amendments thereto, and the pending call of the roll on the location of said Agricultural College.

Was taken up.

Mr. Mason moved to postpone the further consideration of the special order until to-morrow at two o'clock, and make it the special order for that hour.

Mr. Bellamy moved to amend by inserting Thursday.

Mr. Cullen moved to lay the motion to amend on the table.

Which motion prevailed.

The original motion by Mr. Mason was then agreed to.

By unanimous consent of the Senate, Mr. Jaquess introduced,

Senate bill No. 223, "a bill to amend the first section of an act entitled an act to amend the fortieth clause of section thirty of an act entitled an act granting to the citizens of the town of Evansville,

in the county of Vanderburg, a city charter, approved January 27, 1827, and declaratory of the meaning of the second section of the same act," approved December 21st, 1865, so as to authorize the common council of said city of Evansville to subscribe for and take stock in the Evansville, Henderson and Nashville Railroad Company, or any other company or corporation organized under and by virtue of the Commonwealth of Kentucky, for the purpose of constructing a railroad leading from Nashville, in the State of Tennessee, to a point on the Ohio river, at or near Evansville, Indiana.

Which was read a first time.

Mr. Jaquess moved that the rules be suspended, and Senate bill No. 223, above recited, be read a second and third time now.

The ayes and nays were taken under the Constitution.

Those who voted in the affirmative were;

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Hanna, Houghton, Huey, Huffman, Jaquess, Johnson, Lee, Mason, Milligan, Newlin, Oyler, Parrish, Reagan, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Vawter, and Mr. President—34.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Hanna, Houghton, Huey, Huffman, Jaquess, Johnson, Lee, Mason, Milligan, Newlin, Oyler, Parrish, Reagan, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Vawter, and Mr. President—34.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Oyler offered the following Concurrent Resolution :

Be it resolved by the Senate, the House concurring therein,

WHEREAS, The Republican party, having elected a Republican President and Vice President, and having a large majority in both houses of Congress now assembled, have the right to claim the patronage of the present administration :

AND WHEREAS, The President having forsaken the principles and the party which placed him at the head of this Government, and having bestowed the patronage placed in his trust upon persons who belong to or affiliate with the Democratic party :

Therefore be it resolved, That the Representatives and Senators in Congress from the State of Indiana, be requested to use their influence and vote against the confirmation of all persons appointed, or who may be appointed hereafter, by the President of the United States, unless they are known to be true and tried Republicans.

Mr. Mason moved to lay the resolution on the table.

Which was not agreed to.

Mr. Hanna moved to postpone the further consideration of the Concurrent Resolution one week.

Which was agreed to.

By unanimous consent of the Sentate, House bill No 53, a bill fixing the time of holding the Common Pleas Court in the county of Grant,

Was taken up and read a third time.

The question then being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Hanna, Houghton, Huey, Huffman, Jaquess, Johnson, Lee, Mason, Milligan, Newlin, Oyler, Parrish, Reagan, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Vawter, and Mr. President—34.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Senate bill No. 181, a bill to amend section twenty-seven of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and the matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Hanna, Houghton, Huey, Huffman, Jaquess, Johnson, Lee, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Vawter and Mr. President—35.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent, Mr. Cullen presented eleven petitions from the citizens of Warren county with relation to the changing of boundary lines.

Which were referred to the Select Committee on that subject.

By unanimous consent of the Senate, House bill No. 244, a bill districting the State for Judicial Circuits, and providing that Judges and Prosecuting Attorneys of Circuits, as heretofore existing, shall be Judges and Prosecuting Attorneys of the Circuits in which the

county where they reside is situate under this act, providing for filling vacancies in said office.

Was taken from the files and recommitted to the Special Committee on that subject.

On motion by Mr. Vawter, two members were added to the Committee.

The President appointed Messrs. Oyler and Vawter as additional members of said committee.

Mr. Cravens moved that Senate bill No. 183, a bill to legalize railroad consolidations, and declaring the law of such consolidations be made the special order for 2 o'clock P. M.

Which was agreed to.

SENATE BILLS ON THIRD READING.

Senate bill No. 203. A bill extending the time for holding the Common Pleas Court in the county of Fulton, and repealing all laws inconsistent therewith.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Hanna, Houghton, Huey, Huffman, Jaquess, Johnson, Lee, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Vawter, and Mr. President—35.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 47. A bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bowman, Cason, Church, Cravens, Cullen, Jaquess, Mason Milligan, Newlin, Oyler, Reagan, Robinson, Stein, Vawter, and Mr. President—16.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Brown, Carson, English, Hanna, Houghton, Huey, Huffman, Johnson, Lee, Niles, Parrish, Smith, Staggs, Taggart, Terry, Thompson, and Turner—19.

So the bill did not pass.

Senate bill No. 144. "A bill to provide for impartially empanneling juries in certain cases."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Brown, Cason, Carson, Church, Cravens, Jaquess, Johnson, Mason, Newlin, Niles, Oyler, Reagan, Robinson, Stein, Terry, Turner, and Mr. President—18.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Cullen, English, Hanna, Houghton, Huey, Huffman, Lee, Milligan, Parrish, Smith, Staggs, Taggart, and Thompson—16.

So the bill did not pass.

On motion by Mr. Bellamy, a call of the Senate was ordered.

The Secretay proceeded with the call.

The following Senators answered to their names:

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Car-

son, Church, Cravens, Cullen, English, Hanna, Houghton, Huey, Huffman, Jaquess, Johnson, Lee, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, and Mr. President—34.

On motion by Mr. Oyler, the further call of the Senate was suspended.

By unanimous consent of the Senate, Mr. Terry, from the Committee on Swamp Lands, made the following report :

MR. PRESIDENT :

The Committee on Swamp Lands, to whom was referred "House bill No. 23," "a bill to enable the owner of wet lands to drain and reclaim them where the same cannot be done without affecting the lands of others ; prescribing the powers and duties of County Boards, and County Auditors in the premises, and repealing all laws inconsistent therewith," have had the same under consideration and have directed me to report the same to the Senate with the recommendation that it do pass.

Which was concurred in.

Mr. Armstrong moved to suspend the rules and read House bill No. 23, contained in the foregoing report, a second and third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Carson, Cravens, Cullen, English, Hanna, Houghton, Huey, Huffman, Jaquess, Johnson, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Robinson, Smith, Stein, Terry, Thompson, Turner, and Mr. President—30.

Those who voted in the negative were,

Messrs. Church, Lee, Staggs, and Taggart—4.

So the rules were not suspended.

Mr. Bellamy asked and obtained leave of absence for Mr. Boham.

Mr. Huey asked and obtained leave of absence for Mr. Humphreys.

A message from the House, by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed the following enrolled act of the Senate, to-wit :

Enrolled act No. 166, entitled an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of this State.

A message from the Governor, by Mr. Commons, his Private Secretary :

MR. PRESIDENT :

I am directed by Governor Baker to inform your honorable body that he has approved and signed enrolled act No. 42, an act defining what counties shall constitute the Seventh Judicial Circuit, and fixing the times of holding Courts therein, and that the same has been deposited in the office of the Secretary of State.

A message from the House, by Mr. Nixon, the Clerk thereof :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed the following enrolled acts of the House, to wit :

Enrolled act No. 175 entitled an act to amend an act entitled an act providing for the election and qualifications of Justice of the Peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852. Also,

Enrolled act 272, entitled an act to create the Twenty-second District of the Court of Common Pleas of Indiana ; to fix the time of holding the Courts in said district, and to repeal all laws in conflict therewith.

On motion by Mr. Cullen, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

PETITIONS, MEMORIALS AND REMONSTRANCES.

The President laid before the Senate a petition from B. F. Gregory, of Warren county, on the subject of changing the boundaries of said county.

Which was referred the Select Committee on said change of boundaries.

Mr. Smith presented a petition from sundry citizens of Huntington county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Church presented a petition from the students of the Valparaiso Male and Female College, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

The President of the Senate, Mr. Cumback, presented a petition upon the subject of temperance from the citizens of Orange county.

Which, on motion, was referred to the Committee on Temperance.

Mr. Church presented a petition from sundry citizens of Porter county, asking the enactment of a law prohibiting the traffic in intoxicating drinks as a beverage in the State.

Which was referred to the Committee on Temperance.

By the unanimous consent of the Senate the order of business was suspended.

Mr. Oyler, Chairman of the Committee on the Organization of Courts, made the following report :

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred House bill No. 13, a bill to create the Eighteenth Judicial Circuit of the State of Indiana, have had the same under consideration, and have instructed me to report the same back to the Senate without special recommendation, for the reason that in the opinion of the

Committee no fair apportionment of the judicial business of the State can be brought about by the creation of new Circuits unless the whole State is redistricted upon a fair and general basis, that shall do equal justice to all parts of the State.

SPECIAL ORDER.

Senate bill No. 183. "A bill to legalize railroad consolidations, and declaring the law of such consolidations."

Was taken up.

Mr. Oyler offered the following amendment :

Amend by striking out the words "heretofore made" in the third line of the first section; strike out the fifth line and insert in lieu thereof "may organize, construct and operate;" strike out all after the word "consolidation" in the tenth line. Strike out of section two all after the word "railroads" in the first line to the word "shall" in the fourth line; strike out all after the word "condition" in the fifth line to the commencement of the fifteenth line.

Mr. Hanna moved to postpone the further consideration of the bill and amendment until to-morrow at 2 o'clock P. M., and that it be made the special order for that hour.

Which was agreed to.

Mr. Cravens, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 73, "a bill to regulate and make uniform the prices of freights upon railroads in this State," have had the same under consideration, and direct me to report the same back to the Senate and recommend the following amendments :

1. Amend section one in lieu thereof after the the word "exceeding" and before the word "five" by inserting the word "twenty."

2. Amend by inserting at the close of section one "through rates

be taken and understood to mean the rates charged for the transportation of freights on the whole line of a road within this State."

And when so amended recommended its passage.

Which report was concurred in, and the amendments adopted.

Mr. Hanna from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 91, entitled "a bill to assert the control of the State over railroad corporations, to fix the rates of freight, and to prevent extortions, and to provide for rules and by-laws for such roads, and the punishment for the violation thereof, and to provide for licensing of locomotive engineers," have had the same under consideration and have directed me to report the same back to the Senate with the following amendments: Strike out sections 5, 6, 7, 8 and 9, being that part of the bill in relation to freights; said Committee having reported a bill on that subject; and then make sections ten, as the bill now is, read section 5; section 11, section 6; section 12, section 7; section 13, section 8; section 14, section 9; section 15, section 10; section 16, section 11; section 17, section 12; section 18, section 13; section 19, section 14; section 20, section 15; and when so amended the committee recommend its passage.

On motion by Mr. Hanna, Senate bills No. 91 and 73, and the report of the Committee on Corporations thereon, were made the special order, with Senate bill 183, for 2 o'clock P. M. to-morrow.

Mr. Hanna from a Special Committee, made the following report:

MR. PRESIDENT:

The Special Committee to whom was referred Senate bill No. 202, "a bill for the relief of Lucius H. Scott, John Law, Wm. H. Law and John A. Reitz," respectfully report that they have had the same under consideration, and beg leave to return the same with the recommendation that the same do not pass, the object of said bill having

been, as far as this Committee deem it expedient, embraced in Senate bill No. 201.

Which report was concurred in.

Mr. Hanna, from the Select Committee, made the following report :

MR. PRESIDENT :

The Committee to whom was referred Senate bill No. 201, "a bill authorizing the sale of a tract of land in the city of Evansville, the title whereof is vested in the State of Indiana, and providing for a conveyance from the State to the purchaser thereof," respectfully report that they recommend the passage of said bill with the addition of the following section to be numbered "7," viz :

Section 7. "One half of the net proceeds of the sale of said premises thus paid to the Treasurer of State, shall be by him paid to the said Lucius H. Scott, John Law, Wm. H. Law and John A. Reitz, said Reitz being the assignee of said James B. McCall, donor of said premises as aforesaid, in the proportion of one one-fourth of said half of net proceeds, to each of said donors."

All of which is respectfully submitted.

Which report was concurred in and the amendments were adopted.

Mr. Cason from the Committee on Education made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred Senate bill No. 117, entitled, "a bill to amend sections first and tenth of an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and registration of township libraries, and repeal all laws inconsistent therewith, providing penalties therein prescribed, have had the same under consideration and have instructed me to report said bill back to the Senate and recommend its passage.

Which report was concurred in, the bill therein contained was read a second time and ordered to be engrossed for a third reading on tomorrow.

Mr. Carson from the Committee on Corporations made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred House bill No. 89, "a bill to provide for the construction of sewers within incorporated towns, defining the powers and duties of Town Trustees in relation thereto, and to repeal all laws in conflict therewith," beg leave to report that they have had the same under advisement and have instructed me to report the same back to the Senate with a recommendation that the same do pass.

Which report was concurred in.

Mr. Niles presented a claim of Dr. Tompkins Higday against the State, for services as special surgeon in 1863.

Which was referred to the Committee on Claims.

Mr. Stein from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 77, entitled, "a bill to increase the salaries of the Prosecuting Attorneys of the Criminal Circuit Courts, and providing for payment of the increase out of the proper county Treasuries," have had the same under consideration and now report it to the Senate with the following amendments, viz :

After the word "that" in the 4th line of the 1st section, insert the words "the Board of Commissioners of any county in which a Criminal Circuit Court is organized, may allow the Prosecuting Attorney of such Court."

Strike out of the 4th, 5th, 6th and 7th lines of said section, the words, "there shall be allowed the Prosecuting Attorneys of the Criminal Circuit Court in the State."

3d. After the word "dollars" in the 8th line of said section, insert the words "per year."

4th. Strike out the last word of the 10th line of said section and insert the word "such."

5th. After the word "county" in the 11th line of said section, strike out all the balance of said section.

Said amendmenments being adopted the committee recommended the passage of the bill.

Which was concurred in and the amendment adopted.

The bill therein contained was read a second time and passed to a third reading on to-morrow.

BILLS INTRODUCED.

Mr. Oyler introduced

Senate bill No. 225. A bill to amend an act entitled an act regulating Foreign Insurance Companies doing business in this State, prescribing the duties of the Agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of this act, approved December 21, 1865.

Which was read a first time and referred to the Committee on Corporations.

Mr. Bellamy introduced

Senate bill No. 226. A bill to amend the twenty-eighth section of an act entitled an act to incorporate the Vevay, Mount Sterling, and Versailles Turnpike Road Company, approved January 14, 1850.

Which was read a first time and referred to the Committee on Roads.

By unanimous consent of the Senate, Mr. Niles presented a claim.

Was referred to the Committee on Claims.

Mr. Cullen, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred House bill No. 142, a bill authorizing the Board of Directors of Street Railway Companies to raise funds to discharge the indebtedness of such companies by making a *pro rata* assessment against stockholders, to make needful rules in relation thereto, to issue preferred stock in certain cases, and in relation to the individual liability of stockholders, have

had the same under consideration, and direct m^e to r^eport the same back to the Senate without amendment, and recommend its passage.

Which report was concurred in.

By unanimous consent, Senate bill No. 97, a bill designating certain holidays and relative to negotiable paper falling due thereon.

Was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, Cason, Carson Cravens, Cullen, English, Hanna, Hawk, Huey, Huffman, Jaquess, Lee, Milligan, Niles, Oyler, Parrish, Reagan, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Vawter, and Mr. President—29.

Those who voted in the negative were,

Messrs. Barker, Church, Thompson, Newlin, and Turner—5.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Oyler, a call of the Senate was ordered.

• The Secretary proceeded with the call.

The following Senators answered to their names:

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Hanna, Hawk, Huey, Huffman, Humphreys, Jaquess, Lee, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Vawter, and Mr. President—34.

On motion by Mr. Oyler, the further call was dispensed with.

MESSAGE FROM THE HOUSE.

The following message from the House was taken up.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Sen-

ate that the House has passed the following engrossed bill thereof, to-wit:

Engrossed House bill No. 240, entitled a bill to provide for the inspection of coal oil, petroleum oil, and mixtures of coal and petroleum oils, and prescribing penalties for the violation thereof, and providing jurisdiction for the enforcement of penalties.

House bill No. 240, therein contained, was read a first time, and, on motion, referred to the Committee on the Judiciary.

SENATE BILLS ON SECOND READING.

Senate bill No. 93. A bill to amend section one of an act entitled an act concerning interest on money, approved March 27, 1852.

Was read a second time.

Mr. Cullen moved to recommit the bill to the Committee on the Rights and Privileges of the Inhabitants of the State.

Which was not agreed to.

Mr. Cullen moved to indefinitely postpone the further consideration of the bill.

Mr. Oyler moved to lay the motion to postpone on the table.

The ayes and noes were demanded by Messrs. Cullen and Oyler.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Cason, Church, Cravens, Hawk, Huffman, Humphreys, Jaquess, Johnson, Milligan, Newlin, Oyler, Parrish, Reagan, Robinson, Smith, Staggs, Stein, Taggart, Terry, Turner, and Mr. President—24.

Those who voted in the negative were,

Messrs. Barker, Brown, Cason, English, Hannā, Huey, Lee, Noyes, and Vawter—10.

So the motion to postpone was laid on the table.

The bill was then ordered to be engrossed for a third reading on to-morrow.

On motion by Mr. Cullen, a call of the Senate was then ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Church, Cravens, Cullen, English, Hanna, Hawk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Robinson, Smith, Staggs, Stein, Taggart, Terry, Turner, Vawter, and Mr. President—34.

On motion by Mr. Stein, the further call of the Senate was dispensed with.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Bellamy offered the following resolution :

Resolved, That a Committee of three be appointed to inquire into the facts concerning the publication of an article in the Indianapolis Daily Journal, of Saturday, February 23, headed "Defamation of the Hospital for the Insane," particularly with reference to its publication in the copies of said paper sent to the country, and not in those furnished members of the Senate, and whether or not said article reflects, in a libelous manner, on the Senator from Jefferson, and report said facts to the Senate.

Which was adopted.

The President appointed Messrs. Bellamy, Parrish, and Hawk said Committee.

House bill No. 128. A bill to amend section 28 of an act entitled "an act defining felonies, and prescribing punishment therefor," approved June 10, 1852.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 114. A bill to amend an act entitled "an act to provide for a general system of Common Schools, the officers thereof,

and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental section thereto."

Was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Cason, Church, Cravens, Cullen, Johnson, Milligan, Niles, Oyler, Parrish, Reagan, Robinson, Stein, Terry, Vawter, and Mr. Presiden—18.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Hanna, Howk, Huey, Huffman, Humphreys, Jaquess, Lee, Newlin, Smith, Staggs, Taggart, and Turner—16.

So the bill did not pass for want of a constitutional majority.

On motion by Mr. Bellamy, a call of the Senate was ordered.

The Secretary proceeded with the call, and

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Hanna, Howk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Robinson, Smith, Staggs, Stein, Taggart, Terry, Turner, Vawter, and Mr. President—34.

On motion, the further call of the Senate was dispensed with.

A message from the Governor, by John M. Commons, his Private Secretary :

MR. PRESIDENT :

I am directed by the Governor to inform your honorable body that he has approved and signed enrolled act No. 166.

“An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State,” and that the same has been deposited in the office of the Secretary of State.

Mr. Cullen moved to suspend the order of business for the purpose of allowing him to introduce a resolution.

The ayes and noes were demanded by Messrs. Hanna and Newlin.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Cason, Church, Cullen, Huffman, Jaquess, Johnson, Milligan, Niles, Oyler, Parrish, Reagan, Robinson, Stein, Terry, and Mr. President—18.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, Cravens, English, Hanna, Howk, Huey, Humphreys, Lee, Newlin, Smith, Staggs, Taggart, and Turner—15.

So the motion failed, there being no quorum present.

On motion by Mr. Oyler, the Senate adjourned.

WEDNESDAY MORNING, 9 o'CLOCK, }
February 27, 1867. }

The Senate met.

On motion, by Mr. Johnson, the reading of the Journal was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Robinson presented a petition from the Methodist Church at Pendleton, Madison county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Lewis presented a petition from sundry citizens of Lagrange county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Terry presented a petition from sundry citizens of Miami county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Ward presented a petition from sundry citizens of Randolph county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Reagan presented two petitions from sundry citizens of Henry county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Reagan presented a petition from the ladies of Henry county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Stein presented a petition from sundry citizens of Tippecanoe county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Terry, from the Committee on Temperance, made the following report:

MR. PRESIDENT:

The Committee on Temperance, to whom was referred Senate bill No. 167, "a bill to prohibit selling and buying intoxicating liquors to be used as a beverage, and prescribing penalties for violation thereof," have had the same under consideration, and the majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be laid on the table, for the reason that a bill entitled an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, believed to comprise all legislative action necessary to be had at this time, has already been reported to the Senate, and its passage recommended by unanimous consent of this committee, which last named bill is now on its third reading awaiting final action by the Senate.

Mr. Reagan, from the Committee on Temperance, made the following minority report:

MR. PRESIDENT:

The minority of your committee, to whom was referred Senate bill No. 167, "a bill to prohibit selling and buying intoxicating liquors to be used as a beverage and prescribing penalties therefor," have had the same under consideration, and being unable to agree with the majority of said committee, would beg leave to submit a few facts in the following minority report:

The question about which the majority and minority of your committee differ is—Shall this Legislature enact a prohibitory or a license liquor law? We believe, first, that the retailing of spirituous liquors as a beverage is the source from which springs three-fourths of all the crimes to which the human race is heir; men never get drunk when they cannot get liquor; but few men would get liquor if your Legislature did not legalize the traffic. That drunkenness is a crime few men will dispute. Immediately in the wake of drunkenness follow all the concomitant evils of the land.

It cripples and dethrones the giant intellect. It squanders our fortunes; it beggars our families; it makes paupers of our children; it fills our alms houses and State prisons; it fills an early grave with

many a confiding wife; nor does the scaffold fail to be largely represented from the drunken class; more than one-half of all criminal actions in our Courts are traceable to the intoxicating cup. Nearly one-half the alms of the State are given for the benefit and protection of persons whose wants and crimes have grown out of the use of the intoxicating bowl. Not a single session of the General Assembly passes without its charities being taxed to their utmost extent to make appropriations for Asylums and State Prisons; whilst now we are asked for a large sum to build a House of Refuge for juvenile offenders, nor do we object to these appropriations, so long as the Legislature legalizes a traffic that is demoralizing in its effects and is constantly producing material to fill the same.

We appear to have no scruples in legislating the money from the peoples' pockets to meet the necessities growing out of the enormities of a license law, and whilst we are thus liberal in handing over the peoples' money there appears to be a determination not to meet the monster with a bold front, which we affirm that this bill proposes, and lay the axe at the roots of the tree which is so prolific of crime.

The minority of your Committee think that the enactment of a license law is simply a step in the wrong direction. All the various catalogues of crimes draw largely upon the tipling shops of our land. Our Legislature, in their wisdom, have seen cause to enact to the effect, that should a Surgeon, in adjusting a broken limb, fail to adjust the same properly, thereby maiming the party for life, is liable to indictment for mal-practice, and upon conviction thereof shall be fined in an unlimited amount, thereby sweeping away for one error all the hard earnings that has taken years to accumulate. On the other hand the rum seller may steal your brain, impoverish your family, break your limb or neck, all of which he does under the shadow of law. In view of the numerous petitions which are constantly pouring in from nearly every county of the State, signed by thousands of our best citizens, praying us to enact a prohibitory liquor law, shall we, their representatives, silently and heedlessly pass them by on the grounds of inexpediency, and thereby fail to meet the avowed will of the lovers of humanity. Long years of experience with a license law have shown to the minority of your Committee that nothing short of total prohibition will redeem our land from the thralldom of intemperance.

In conclusion we would recommend the immediate passage of Senate bill No. 167.

THOMAS REAGAN.

Mr. Lewis moved to concur in the minority report.

The ayes and noes were demanded by Messrs. Noyes and Oyler.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Church, Cullen, Lewis, Reagan, and Ward—8.

Those who voted in the negative were,

Messrs. Barker, Bowman, Cason, Carson, Cravens, English, Hanna, Houghton, Hawk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Rice, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Turner, Vawter, Wolcott, and Mr. President—33.

So the minority report was not concurred in.

The question recurring on the motion to concur in the report of the Committee.

The ayes and noes were demanded by Messrs. Hanna and Newlin.

Those who voted in the affirmative were,

Messrs. Barker, Bowman, Carson, Cravens, English, Hanna, Houghton, Hawk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Rice, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Turner, Vawter, Wolcott, and Mr. President—31.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Cason, Church, Cullen, Lewis, Milligan, Reagan, and Ward—10.

So the report of the Committee was concurred in.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Oyler offered the following resolution :

Resolved, That the Committee on Temperance, in their report of the number of persons petitioning on the subject, be instructed to so separate the names as to show the kind of legislation asked for by the petitioners.

Which was adopted.

Mr. Cullen moved that the order of business be suspended for the purpose of allowing him to introduce a resolution.

The ayes and noes were demanded by Messrs Cason and Cullen.

Those who voted in the affirmative were,

Messrs. Armstrong, Brown, Cason, Church, English, Huffman, Jaquess, Lewis, Milligan, Oyler, Rice, Stein, Thompson, Ward, and Mr. President—15.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Bowman, Carson, Hanna, Houghton, Howk, Huey, Humphreys, Johnson, Lee, Mason, Newlin, Noyes, Reagan, Robinson, Smith, Staggs, Taggart, Terry, Turner, Vawter, and Wolcott—23.

So the motion did not prevail.

By unanimous consent of the Senate, the order of business was suspend, and

Mr. Wolcott introduced

Senate bill No. 227. A bill to consolidate certain bonds, stocks and accounts of the School Fund into one non-negotiable bond, and making other provisions in relation thereto.

Which was read a first time.

Mr. Hanna moved that the bill be referred to a select committee of seven.

Which was agreed to.

And the President appointed Messrs. Wolcott, Hanna, Oyler, Noyes, Howk, Carson, and Bellamy said Committee.

Leave of absence absence was granted Mr. Cravens.

On motion by Mr. Oyler, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

By unanimous consent of the Senate, Mr. Milligan offered the following concurrent resolution :

Be it resolved by the Senate, the House concurring therein, That the Adjutant General is hereby authorized and instructed to close up the business of his office by the first day of January, 1868, so as not to acquire after that time the service of any clerk or person other than himself in his office, and that said Adjutant General is instructed not to extend his report further than the seven volumes authorized to be published by the special session of the General Assembly of 1865.

Which on motion by Mr. Oyler, was referred to the Committee on Military Affairs.

SPECIAL ORDER.

Senate bill 183. A bill to legalize railroad consolidations, and declaring the law of such consolidations, and

Senate bill No. 73. A bill to regulate and make uniform the prices of freights upon railroads in this State, and

Senate bill No. 91. "A bill to assert the control of the State over railroad corporations, to fix the rates of freight, and to prevent extortions, and to provide for rules and by-laws for such roads, and the punishment for the violation thereof," and to provide for licensing of locomotive engineers.

With the reports of the Committee on Corporations thereon, were taken up.

Mr. Oyler moved to postpone the further consideration of the special order until to-morrow at 2 o'clock P. M. and that it be made the special order for that hour.

Which was agreed to.

SPECIAL ORDER.

Senate bill No. 139. A bill to carry into effect the benefits of an act of Congress, approved July 5, 1862, entitled "An act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts, and to establish and locate a College for the promotion of general science, and for the teaching of such branches of learning as are related to agriculture and the mechanic arts and military tactics, and for the acceptance of donations for the benefit of such College, with the amendment proposed by the Special Joint Committee on Agricultural College, and the pending vote on the location of said College,

Was taken up.

On motion by Mr. Stein, the further consideration of the special order was postponed until to-morrow at 10 o'clock A. M., and it was made the special order for that hour.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Thompson presented a memorial from the delegates to the State Convention of the Independent Order of Good Templars, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Ward presented a petition from sundry ladies of Randolph county on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Bonham presented a petition from sundry citizens of Blackford county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

On motion by Mr. Johnson, the order of business was suspended, and,

House bill No. 145, a bill to amend the seventh clause of section 22 of an act entitled "an act for the incorporation of towns, defining ing their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852.

Was taken from the files, read a first time, and referred to the Committee on Corporations.

Mr. Stein, from a Select Committee, made the following report :

MR. PRESIDENT :

The Special Committee, to whom was recommitted House bill No. 244, "a bill districting the State for Judicial Circuits, and providing that Judges and Prosecuting Attorneys of Circuits as heretofore existing, shall be Judges and Prosecuting Attorneys of the Circuits in which the county where they reside is situate under this act, and providing for filling vacancies in said offices," have had the same under consideration, and have instructed me to report it back to the Senate with the recommendation that said bill be amended as follows, viz :

1st. Strike out of section 5 the word "counties," and insert in lieu thereof the word "county;" and strike out of the same section the words "and Hendricks." Strike out of the 6th section the word "Morgan." Strike out of section 17 the words "and Johnson," and insert the word "and" before the word "Bartholomew," in said section. Add one additional section as follows, viz. :

"SEC. 21. The counties of Hendricks, Morgan and Johnson shall constitute the Twenty-First Circuit."

2d. Strike out "Martin," in section 3. Strike out of the sixth section "Clay," and insert "Martin." After the word "Parke," in the 20th section, add the word "Clay."

3d. After the word "Pulaski," in section 12, insert the words "and Stark," and strike out the words "and Stark" from the ninth section.

4th. Strike "Fulton" from the ninth section. Add "Fulton" after the word "Cass," in the 11th section. Add an additional section as follows, viz. :

SEC. 22. The terms of the several Circuit Courts in this State, and the time of their commencement, shall be in each county as now fixed by law.

5th. Change the numbering of sections 21, 22 and 23, to 23, 24 and 25.

The amendments being adopted, the committee recommend the passage of the bill.

The question being, shall the first amendment reported by the committee be adopted?

The ayes and noes were demanded by Messrs. Cason and Oyler.

Those who voted in the affirmative were,

Messrs. Armstrong, Bonham, Brown, Hanna, Jaquess, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Staggs, Stein Thompson, Wolcott, and Mr. President—18.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Bowman, Cason, Carson, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Sherrod, Smith, Taggart, Terry, Turner, and Ward—25.

So the amendment was not adopted.

Pending the question on the adoption of the second amendment reported by the committee,

Mr. Cullen moved to postpone the further consideration of the report and amendments until Wednesday, March 5, at 2 o'clock P. M., and that they be made the special order for that hour.

The ayes and noes were demanded by Messrs. Cullen and Bellamy.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Carson, Cullen, Hanna, Houghton, Howk, Huey, Humphreys, Jaquess, Johnson, Lewis, Mason, Newlin, Oyler, Reagan, Reynolds, Sherrod, Staggs, Turner, and Ward—23.

Those who voted in the negative were,

Messrs. Bonham, Brown, Cason, Church, English, Gifford, Huffman, Lee, Milligan, Niles, Noyes, Parrish, Rice, Richmond, Robinson, Smith, Stein, Taggart, Terry, Thompson, Wolcott, and Mr. President—22.

So the motion was agreed to.

Mr. Turner moved to reconsider the vote by which Senate bill No. 47, a bill authorizing Boards of County Commissioners to make ap-

appropriations in aid of the construction of manufacturing establishments or machine shops, was rejected.

Which was agreed to.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Cason, Church, Cullen, Howk, Huey, Huffman, Jaquess, Johnson, Mason, Milligan, Newlin, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Brown, Carson, English, Gifford, Houghton, Humphreys, Lee, Niles, Noyes, Parrish, Sherrod, Smith, Staggs, and Taggart—14.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Cullen moved to suspend the order of business and take up bills on their third reading.

Which was agreed to.

SENATE BILLS ON THIRD READING.

Senate bill No. 184. A bill for the relief of Lewis and Eichelberger, Dare and Johnson, Peter Hallowell, and Abraham Briggs.

Was read a third time.

Mr. Cason moved to recommit the bill to the Committee on the Judiciary with instructions to inquire into the liability of this State as to the subject matter of the bill.

Which was agreed to.

Senate bill No. 141. A bill to define the crime of drunkenness and to provide penalties therefor.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Brown, Church, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Reagan, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—21.

Those who voted in the negative were,

Messrs. Barker, Bowman, Cason, Carson, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Jaquess, Mason, Newlin, Smith, Staggs, Terry, and Turner—18.

So the bill did not pass for want of a Constitutional majority.

Mr. Reynolds moved to reconsider the vote by which the report of the Select Committee on House bill No. 244, and the proposed amendments thereto, were postponed and made a special order.

Mr. Hanna moved to lay the motion to reconsider on the table.

The ayes and noes were demanded by Messrs. Hanna and Cullen.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Carson, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Johnson, Lewis, Mason, Newlin, Oyler, Staggs, Terry, Turner, and Ward—23.

Those who voted in the negative were,

Messrs. Bonham, Brown, Cason, Church, Jaquess, Lee, Milligan, Niles, Noyes, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Taggart, Thompson, Wolcott, and Mr. President—21.

So the motion to reconsider was laid on the table.

On motion by Mr. Wolcott,

Senate bill No. 46, "a bill to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof,"

Was taken up.

Pending the question on the passage of the bill,

On motion by Mr. Rice, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bonham, Bowman, Brown, Cason, Carson, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—44.

On motion by Mr. Oyler, the further call of the Senate was dispensed with.

During the call of the Senate, Mr. English asked and obtained leave of absence for Mr. Sherrod.

Mr. Oyler asked and obtained leave of absence for Mr. Vawter.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Cason, Church, Cullen, Houghton, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—24.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Mason, Newlin, Smith, Staggs, Taggart, and Turner—19.

So the bill did not pass for want of a constitutional majority.

By unanimous consent of the Senate, Senate bill No. 201, "a bill authorizing the sale of a tract of land in the city of Evansville, the title whereof is vested in the State of Indiana, and providing for a conveyance from the State to the purchaser thereof."

Was taken up and read a second time.

Mr. Jaquess moved to suspend the rules, consider the bill as engrossed, and that it be read a third time now.

The ayes and noes being taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Cason, Carson, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Humphreys, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—39.

No Senator voting in the negative.

So the rules were suspended.

The bill was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Cason, Carson, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Jaquess, Johnson, Lewis, Lee, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Staggs, Stein, Taggart, Thompson, Ward, Wolcott, and Mr. President—36.

Those who voted in the negative were,

Messrs. Humphreys and Smith—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Hanna, Chairman of a Select Committee, made the following report :

MR. PRESIDENT :

The Select Committee, to whom was referred divers petitions in favor of measurement of work done by plasterers, joiners,

carpenters, &c., &c., have had the same under consideration, and have instructed me to report back to the Senate the following bill, and recommend its passage :

Senate bill No. 228. A bill to regulate the measurement of work done by plasterers, joiners, carpenters, brick layers, stone layers, and painters, and declaring an emergency, contained in the foregoing report,

Was read a first time, and passed to a second reading on to-morrow.

On motion by Mr. Thompson,

Senate bill No. 142, a bill authorizing the Board of Directors of Street Railway Companies to raise funds to discharge the indebtedness of such companies for making a *pro rata* assessment against stockholders ; to make needful rules in relation thereto ; to issue preferred stock in certain cases, and in relation to the industrial liability of stockholders.

Was taken up, and read a second time.

Mr. Thompson moved to suspend the rules, and read the bill a third time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Carson, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Staggs, Stein, Taggart, Thompson, Turner, Ward, Wolcott, and Mr. President—41.

So the rules were suspended, and the bill was then read a third time.

Mr. Stein moved to postpone the further consideration of the bill until Tuesday next, at nine o'clock, A. M., and that it be made the special order for that hour.

The ayes and noes were demanded by Messrs. Stein and Hanna.

Those who voted in the affirmative were,
Messrs. Robinson, Stein, and Wolcott—3.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Smith, Staggs, Taggart, Terry, Thompson, Turner, Ward, and Mr. President—39.

So the motion to postpone did not prevail.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Carson, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—40.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

The Senate having resumed the consideration of bills on third reading, Senate bill No. 165, a bill to amend an act to provide for the appraisment of real estate, and prescribing the duties of officers in relation thereto, approved December 21, 1858,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Brown, Cullen, Hanna, Jaquess, Lewis, Noyes, Oyler, Parrish, Reagan, Reynolds, Robinson, Smith, Stein, Thompson, Ward, Wolcott, and Mr. President—17.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Carson, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Johnson, Lee, Milligan, Newlin, Staggs, Taggart, and Terry—18.

So the bill was rejected.

On motion by Mr. Oyler, the Senate adjourned.

THURSDAY MORNING, 9 o'clock, }
February 28, 1867. }

The Senate met.

On motion by Mr. Parrish, the reading of the Journal was dispensed with.

Mr. Nopes presented a petition from sundry citizens of Steuben county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Ward presented a petition from sundry citizens of Randolph county, asking the passage of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

Mr. Terry presented sundry petitions on the subject of temperance.

Which were referred to the Committee on Temperance.

REPORTS FROM STANDING COMMITTEES.

Mr. Ward, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

The Committee on Roads, to whom was referred Senate bill No. 48, "a bill in relation to the change of public highways," have had the same under consideration, and have directed me to report the same back without amendment and recommend its passage.

Which report was concurred in.

Mr. Parrish, from the Committee on Canals and Internal Improvements, made the following report:

MR. PRESIDENT:

Your Committee, to whom was referred Senate bill No. 218, "a

bill directing the State and county officers to receive certain certificates in payment for money," have had the same under consideration, and have directed me to return the same back with a recommendation that the same do pass.

Which report was concurred in.

Senate bill No. 218, contained in the foregoing report, was read a second time, and ordered to be engrossed for a third reading on tomorrow.

Mr. Gifford in the chair.

Mr. Cumback moved to suspend the order of business and take up House bill No. 13. "A bill to create the Eighteenth Judicial Circuit of the State of Indiana."

Which was agreed to.

The bill was then read a second time.

Mr. Cumback moved to suspend the rules and read the bill a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bowman, Brown, Carson, Church, Cravens, English, Gifford, Hawk, Huey, Huffman, Jaquess, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—29.

Those who voted in the negative were,

Messrs. Bellamy, Houghton, Humphreys, Johnson, Parrish, Staggs, and Taggart—7.

So the rules were not suspended.

On motion by Mr. Barker a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Cason, Church, Cravens, Cullen, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Smith, Staggs, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—40.

On motion by Mr. Milligan, the further call of the Senate was dispensed with.

Pending the call,

Mr. Cravens asked and obtained leave of absence for Mr. Vawter for the remainder of the session.

Mr. Parrish asked and obtained leave of absence for Mr. Bonham.

REPORTS FROM SELECT COMMITTEES.

Mr. Bellamy, Chairman of a Select Committee, made the following report:

MR. PRESIDENT:

The Committee appointed to examine an article headed "Defamation of the Hospital for the Insane," published in a part of the issue of the Indianapolis Daily Journal of Saturday the 23d inst., and the cause of such publication, report as the result of such investigation the following facts:

1st. There are two editions of the Indianapolis Daily Journal printed per day, the first at 2 o'clock A. M., to supply the early morning trains. After which enough matter not considered of great importance is stricken out to make room for the latest telegrams; the portion so stricken out being afterwards published in the next issue. Such changes of matter are made by the foreman, Mr. Doughty, without any knowledge or interference on the part of the publishers of said paper, and the article referred to was stricken from the second edition by him for the purpose above indicated.

2d. That there was no intention in omitting said article from a part of the issue to conceal it from the members of the General Assembly.

3d. It is the opinion of your Committee that said article does not contain anything insulting to or derogatory of the Senate; and in its personal allusions in criticising the speeches and votes of any members does not transcend the latitude commonly accorded to the public journals of the country.

Believing that said article, or the manner of its publication, was not intended as an insult to this body or any of its members, further than above stated, your Committee would respectfully recommend that the further consideration of the subject be dispensed with, and ask to be discharged from the same.

Which report was concurred in.

Mr. Carson moved to reconsider the vote by which Senate bill No. 165, a bill to amend "an act to provide for the appraisement of the real estate and prescribing the duties of officers in relation thereto," approved Dec. 21, 1858, was rejected.

Which was agreed to.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Carson, Cravens, Cullen, English, Gifford, Huffman, Jaquess, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Smith, Staggs, Stein, Thompson, Ward, Wolcott, and Mr. President—29.

Those who voted in the negative were,

Messrs. Barker, Bowman, Houghton, Howk, Huey, Humphreys, Johnson, Newlin, Taggart, and Terry—10.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Cumback, the order of business was suspended and House bill No. 13, "a bill to create the 18th Judicial Circuit of the State of Indiana," was taken up.

Mr. Cumback moved to suspend the rules and read the bill a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Brown, Carson, Church, Cravens, Cullen, Gifford, Houghton, Howk, Huey, Huffman, Jaquess, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Robinson, Smith, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—34.

Those who voted in the negative were,

Messrs. Bellamy, Bowman, English, Humphreys, Johnson, Rice, Sherrod, and Staggs—8.

So the rules were suspended, and the bill read a third time.

Mr. Milligan moved to recommit the bill to a Select Committee composed of Senators whose districts are affected by its provisions.

Mr. Richmond moved to lay the motion to recommit on the table. Which was agreed to.

Mr. Hanna moved to recommit the bill to the Committee on the Judiciary.

Mr. Cumback moved to lay the motion to recommit on the table.

The ayes and noes were demanded by Messrs. Cumback and Richmond.

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Church, Cullen, Houghton, Jaquess, Parrish, Richmond, Robinson, Stein, Wolcott, and Mr. President—14.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Cason, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Johnson, Lee, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Sherrod, Smith, Staggs, Taggart, Terry, Turner, and Ward—30.

So the motion to lay on the table did not prevail.

The question then being, shall the bill be recommitted to the Committee on the Judiciary?

Mr. Richmond moved to amend by substituting the Committee on the Organization of Courts for the Committee on the Judiciary.

Mr. Hanna moved to lay the motion to amend on the table.

Which was agreed to.

The question then being, shall the bill be recommitted to the Committee on the Judiciary?

The ayes and noes were demanded by Messrs. Hanna and Cullen.

Those who voted in the affirmative were,

Messrs. Armstrong, Bowman, Cason, Carson, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Johnson, Lee, Mason, Milligan, Newlin, Niles, Sherrod, Smith, Staggs, Taggart, and Turner—24.

Those who voted in the negative were,

Messrs. Bellamy, Bonham, Brown, Cravens, Jaquess, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Ward, and Mr. President—16.

So the bill was recommitted.

On motion by Mr. Cullen, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—44.

The further call of the Senate was then dispensed with.

SPECIAL ORDER.

Senate bill No. 139. A bill to carry into effect the benefits of an act of Congress, approved July 5, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and mechanic arts; and to establish and locate a college for the promotion of general science, and for the teaching of such branches of learning as are related to agriculture and mechanic arts and military tactics; and for the acceptance of donations for the benefit of such college."

The amendment reported by the Special Joint Committee on Agricultural College thereto, and the pending vote on the location of said college were taken up.

Mr. Turner moved that the further consideration of the bill and amendments, and the further vote on the location, be indefinitely postponed.

Mr. Cullen moved to lay the motion to postpone on the table.

The ayes and noes were demanded by Messrs. Cullen and Hanna.

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Brown, Cason, Church, Cullen, Hanna, Johnson, Lewis, Mason, Milligan, Newlin, Oyler, Reynolds, Richmond, Robinson, Stein, Ward, Wolcott, and Mr. President—23.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Bowman, Cason, Cravens, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Jaquess, Lee, Niles, Noyes, Parrish, Reagan, Rice, Smith, Staggs, Taggart, Terry, Thompson, and Turner—25.

So the motion to lay on the table did not prevail.

The question recurring upon the motion to indefinitely postpone,

Mr. Turner moved the previous question.

Which was not seconded by the Senate.

Pending the motion to indefinitely postpone,

On motion by Mr. Cravens, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

The Senate resumed the consideration of the special order pending at adjournment.

The question being on the motion of Mr. Turner to indefinitely postpone the further consideration of the bill and the amendment, and to vote upon the location of the Agricultural College.

Mr. Turner asked and obtained leave to withdraw his motion.

Mr. Cason moved to postpone the further consideration of the special order until to-morrow at two o'clock P. M., and that it be made the special order for that hour.

Which was agreed to.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Thompson, presented a petition from sundry citizens of Marion county, asking the enactment of a prohibitory liquor law.

Which was referred to the Committee on Temperance.

By unanimous consent of the Senate, the order of business was

suspended and Mr. Church from the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

The undersigned, members of the Committee on Benevolent Institutions, have had under consideration certain matters pertaining thereto, and beg leave to submit the following report :

Your committee, after a thorough examination of said institutions, find them well ordered and conducted in every particular, with respect to the comfort and welfare of the inmates, and your committee in pursuance of a resolution of the Senate, have especially investigated certain charges said to be in circulation against some of the officers of the Hospital for the Insane.

It was charged that flour had been furnished for the use of the inmates of said Hospital, of an inferior quality and deficient in weight. That seven or eight horses had been purchased at a cost of seventy-five dollars each, and fattened out of the crib of said Institution, and then sold for one hundred and fifty to two hundred dollars each, and the proceeds of such sales was pocketed by the managers of said Hospital, and further that the affairs generally of said Institution had been extravagantly managed. Upon all of these charges your Committee have instituted a rigid and thorough examination with the following result: The Matron, Baker, Superintendent, Steward and Miss Welch, all testify that no such flour as charged, has ever been furnished to the Hospital while they have been connected therewith.

Mr. Miller, who furnished the flour, and Mr. French, (the Steward) both testified, that in some instances the flour was put up in old barrels which could not be made to hold one hundred and ninety-six pounds, but in all such cases the deficiency was made good by flour in sacks delivered at the same time, and that all flour furnished was good. Your Committee further find that instead of seven or eight horses purchased, fattened and sold, for the benefit of Mr. French, that he had one colt, raised on the farm, and kept but one horse, which he owned, and used for the benefit of the Institution, and for which he received compensation.

Your committee would also report that they were unable to find anything to sustain the charge of extravagance in the management of said Institution, or in any manner changing the financial statements as found in the reports for the years 1865 and 1866.

Your committee find the Superintendent, Doctor Lockhart, a gentleman in every way well qualified for the responsible duties of his position, and we believe that he has performed the services required of him, with credit to himself and to the honor of the State.

Everything in the departments of both Steward and Matron, bears the impress of neatness, good order and comfort, the halls, wards, rooms and bedding, are clean and well arranged.

The inmates of the Hospital are well cared for, both in respect to food and clothing, and are as comfortable as the most untiring efforts of those in charge can make them.

Your committee would respectfully suggest, that such a change be made in the manner of keeping the books of the Institution and the farm account, as will make them more easily examined and the true condition of the financial affairs more readily investigated and understood.

Your committee also desire to call the especial attention of the Senate to the manner in which the sum of \$35,000, appropriated at the special session of 1865, for the erection of a building for the incurable insane, was diverted from its legitimate purpose, and to recommend that in future, when moneys are so appropriated, that such conditions be attached as will prevent the expenditure of the same, except for the purposes named in the act making such appropriations.

Your committee would further recommend, that the following appropriations be made for the years 1867 and 1868, to meet the current expenses of the different benevolent institutions, as hereinafter mentioned :

For the current expenses for Hospital for the Insane, \$50,000 per year—\$100,000.

To finish kitchen for Hospital for the Insane, \$5,000.

For the current expenses of the Institute for the Deaf and Dumb, \$35,000 per year—\$70,000.

For the current expenses of the Institute for the Blind, \$25,000 per year—\$50,000.

For repairs to the Institute for the Blind, \$3,000.

All of which is most respectfully submitted.

Thereupon Mr. Cravens, from the Committee on Benevolent Institutions, made the following minority report:

MR. PRESIDENT:

The minority of the Committee on Benevolent Institutions, beg leave to submit the following report:

Your Committee entered upon the discharge of its duties at an early day of the present session of the General Assembly; but owing to various causes, unavoidable delays intercepted the progress of its business. The Chairman of the Committee, Mr. Kinly, at the time of his appointment as such, was suffering severely from a wound received in the service of his country, which rendered his attendance on the meetings of the committee a painful labor. Subsequently, his wound becoming more painful and aggravated, he was confined to his room and bed, where he has ever since been, unable to attend to any of those duties, all of which it would otherwise have been his pleasure to discharge.

The duties devolved on the Chairman of this Committee were of so delicate and responsible a nature that the committee delayed some time in its progress, until all hope of having the services of its able and faithful head was dissipated by his continued illness.

In the latter part of January, the Senate charged the Committee with the investigation of certain charges and rumors affecting the character of those managing the Hospital for the Insane. The discharge of this was rendered exceedingly difficult from the fact that the accusations were of a general character, and no one appeared before the committee to prosecute the charges, or furnish the evidence by which they were to be sustained or refuted. The committee was therefore compelled to avail itself of the only accessible evidence, and as the great volume of this testimony is of an *ex parte* character, your committee has thought proper to report a synopsis of the evidence without inference or conclusion thereupon.

The charges alluded to were:

First. Of unwholesome bread furnished to the patients, made from impure and adulterated flour.

Second. That this flour was furnished by a mill, in the neighborhood of the Hospital, and, that in addition to the fact that the flour was manufactured of middlings and corn, the State had been defrauded in the weight.

Third. That the Steward of the Hospital had purchased a young horse which was kept at the public expense until such time as it was old enough for service, when, in addition to being so kept, the Steward charged and received for its services one hundred dollars per annum.

The above, together with rumors as to extravagance in expenditures, constituted the burden of the charges which the Senate deemed proper, and instructed the Committee, to enquire into and report thereon.

The Superintendent, the Assistant Physician, the Steward, the Matron, the Baker, and perhaps another employe, of the Hospital, were all examined by the Committee, and all testified that the charge of unwholesome or impure bread having been furnished to the patients was without foundation or truth; that this could not have been the case without their knowledge of the fact, and that their knowledge was to the contrary.

Mr. Miller, the proprietor of the mill, alleged to have furnished flour, as stated, testified that he had never furnished to the Hospital any but good flour, made of good, sound, merchantable wheat, and none of the kind as charged. He further stated, that the barrels furnished by the Hospital would sometimes not hold the required amount of flour, but that the deficit was always ascertained by actual weight and sent to the Hospital in sacks.

The facts stated by Mr. Miller, were corroborated by Mr. French, the Steward. Here the investigation rested for some days, so far as these charges were concerned, but the Committee did not feel authorized to make a report resting alone upon the testimony of those who might be regarded as having a direct interest in the result. To do this would equally authorize a report based on the testimony of prosecuting witnesses, were the circumstances reversed, which would be no less manifestly unjust. With this view the Committee endeavored to secure other witnesses, and finally succeeded in bringing before it Mr. Henry Klusroth, a German miller who had been in the employ of the proprietor of the mill who was alleged to have furnished the impure flour to the Hospital. This witness testified, positively, that he had on several occasions, perhaps each month, for several months, ground for and sent to the Hospital, flour made of four-fifths middlings, and one-fifth corn, under the authority and by direction of Mr. Miller, the proprietor of the mill. He further testified that the quantity contained in the barrels was short of weight, and that the

deficit was not made up and sent to the Hospital in sacks or otherwise.

It is but just to the record to say that there was nothing in the manner or appearance, on direct or cross-examination of this witness, to lead the Committee to suspect his truthfulness or integrity, any more than either of the others before named; but that it is only one of those many instances of irreconcilable conflict in testimony of which each one must judge for himself.

As to the charge that Mr. French, the Steward, had kept his horse at the public expense, and received for his service one hundred dollars per annum, it is due to Mr. French to say that he very frankly admitted its truth.

The above are substantially the facts as developed in the imperfect investigation which the Committee, under the circumstances, was able to make; and believing that their plain statement is the best report that can be made thereon, they respectfully submit it.

As to the charge of extravagance in expenditures, your Committee is unable to express any opinion, except in so far as the facts as furnished by the officers and managers of the Hospital will give expression to such opinion. The unsatisfactory and unintelligible manner of keeping the accounts and stating the same, has been a source of very great difficulty with the Committee; and in order to arrive at a correct or approximate understanding of the financial condition of the Hospital, the Committee has been compelled to take the aggregate resources for the years 1865 and 1866, and to deduct therefrom the aggregate expenditures, as the same are furnished in the report and derived from the books of the Hospital for the two years, respectively. The account thus stated will stand as follows:

Appropriations for each of the years of 1865 and 1866, \$60,000—\$120,000.

Advanced by Governor Morton, \$17,415 29.

Special appropriation, \$26,500.

Gross amount expended for 1865, as per report of that year, \$84,917 27.

This last named balance was the aggregate of resources for 1866. Total amount expended in the year 1866, as per report of that year, \$93,154 22.

The expenditures of the last named year, are, it will be seen, in excess of the resources of that year in the sum of fourteen thousand one hundred and fifty-six dollars and twenty cents, instead of a

balance on hand of six thousand one hundred and nine dollars and eighty-three cents, as shown by the report of that year. Of the sum of eighty-four thousand nine hundred and seventeen dollars and twenty-seven cents expended in 1865, the sum of eleven thousand nine hundred and ninety-two dollars and ninety-three cents, as shown by the books, as also by the report of the Hospital, was an amount charged to specific appropriation account, and for the purpose of ascertaining the current expenses, should be deducted from said amount, leaving the sum of seventy-two thousand nine hundred and fourteen dollars and thirty-four cents; so also of the gross expenditures for the year 1866, amounting to ninety-three thousand one hundred and fifty-four dollars and twenty-two cents, the sum of twenty-six thousand four hundred and thirty-two dollars and seventy-nine cents, as charged on the books of the Hospital to special appropriation account, should be deducted from said gross sum, leaving sixty-six thousand seven hundred and twenty-one dollars and forty-three cents.

In making up the aggregate of expenditures for the year 1866, the Committee has taken the items as furnished in the financial report, to-wit :

Current expenses, \$59,339 84.

On account of buildings and repairs, \$33,814 38, while the books of the Hospital show only the aforementioned sum of \$26,432 79, as entered and charged against said specific appropriation account.

The report of the Superintendent shows that the expenditures in 1865 for repairs were \$5,972.08, and in 1866 \$15,073.93, making an aggregate of \$21,046.01; while he states that \$6,500 was the appropriation for repairs, and states the difference, \$14,546.01, to have been "expended for current expense paid for repairs." In this there is manifestly a mistake, since the appropriation for each year for current expenses was sixty thousand dollars, and the current expenses for each of said years was, as stated in said report, \$58,679.16 and \$59,339.84, respectively.

There is also difficulty in the cost of the "Airing Courts" which the Committee is unable to decide. This difficulty originates in the imperfect manner in which this account is stated in the reports, and the books furnished the Committee contain no data from which the Committee could deduce a satisfactory conclusion. In the report of 1865, \$789.00 is reported as expended for this purpose, and in that of

1866, \$522.50, "part pay" for "Airing Courts," is also reported; if former embraces the latter, the cost may not be exorbitant, if it does not, it is; but on this subject the Committee, for the reasons above stated, express no opinion.

In the financial report for 1865 there occurs an error of \$10,000.00, by which the Steward credits himself in the account with \$37,681.32, when it should be but \$27,681.32. This is alleged to be a typographical error, and your Committee is not prepared to affirm that it is not, but when the sum of \$37,681.32, the amount credited upon the gross expenditures and deducted therefrom, leaves \$47,235.95, when it should have been \$57,235.95, your Committee feel fully warranted in calling attention to the fact as an error, especially as the error seems to have been carried throughout the account, as stated on pages fifteen and sixteen of said report. But the Committee owes it to itself to say, that in calling attention to the error, it is with no purpose of reflecting upon the fidelity of those managing the fiscal concerns of the Hospital, but to illustrate the difficulties with which the Committee was confronted in all its efforts to get a clear comprehension of the accounts as stated in the reports submitted of the transactions of the Hospital.

The report of 1866 is equally unhappy in its exhibits of the financial affairs of the Hospital. While this and the report of the previous year, may be sufficiently clear to those who are familiar with the facts therein unexplained, they are by no means a guide to knowledge for the uninitiated. For this reason your Committee thought proper to avoid these difficulties, to aggregate the resources for the two fiscal years, and to deduct therefrom the annual expenditures during that period, and the result is as above stated.

Another source of trouble to the Committee is the clothing account of the Hospital. By law each patient is allowed clothing per annum not to exceed the sum of forty dollars. For this purpose the patients are classified by their counties, and the amount expended for each patient is drawn from the treasury, and the Treasurer certifies the amount to each county for which said sum is so paid out, which sums are expended by the Treasurers of the proper counties. The aggregate amount drawn from the State treasury for this purpose, during the year 1866, for the patients was, as represented, \$11,814.00. Taking the Steward's monthly account of payments for purchases, and selecting from it all the items which could properly be regarded as clothing, or the material out of which clothing could be manufactured,

and the cost of these, including shoes, clothing, and dry goods, is less than eight thousand dollars. It must be recollected, however, that the cost of manufacturing, though for the most part performed by the patients, is a legitimate charge, and may very properly be added to the cost of the clothing. What proportion of the actual cost should be added for the work expended, it is not for your Committee to decide. To increase the apparent disproportion between the amount charged as clothing and the amount expended for the raw material, it will be recollected that a considerable proportion of the goods purchased, and included in the same as was stated, was manufactured into bedding, towels, bath cloths, &c. These facts are adduced in support of the recommendation of the Committee, which is now made, to provide by law, for discontinuing this mode of furnishing clothing for the patients. To supply this, as well as the other provision that is made for the patients, out of the ordinary appropriations, it would, in the opinion of your Committee, be a dictate of wisdom and sound policy. If a separate account for the clothing of each patient is kept, and the amount drawn from the State treasury and reimbursed by the proper counties, your Committee can see no good reason why the food, medical attendance and other supplies, should not be in like manner reimbursed to the State. But as this is not the purpose of the State there is no good reason for continuing a policy that is inconsistent, complicated, and susceptible of abuse.

There is another subject connected with the financial affairs of the Hospital, to which this committee would call the attention of the Senate. In 1865 at the extra session of the General Assembly, by an act approved December 21, 1865, thirty-five thousand dollars was appropriated to build an addition to the present Hospital, as a department for the so called incurable insane. Had this sum been faithfully applied in accordance with the requirements of law, many unfortunate victims of insanity, now languishing in cheerless county jails, or other equally cheerless places of confinement, might to-day be enjoying the comforts of a happy home which it was the purpose of the State they should have by means of the above appropriation. Although this sum was dedicated by law for this specific purpose, it was directed from its original design, and the long cherished object, of constructing a north wing to the Hospital, found, in this appropriation, the means that would be the foundation of the desired purpose, and ultimately secure its full attainments. The committee is not disposed to find fault with the motive which actuated those in charge of

the Hospital in laboring to secure this addition to the establishment, for it must be admitted that enlarged accommodations are greatly needed, and this want is felt more seriously with each returning year, but the palpable violation of law, in the diversion and misapplication of a specific appropriation, cannot be too earnestly condemned. In consequence of the above diversion of the amount set apart for the purpose named, instead of a comfortable home, with the capacity to accommodate from fifty to seventy-five of the class of unhappy persons whom it was designed to render as comfortable as public benevolence could make them, we have an unfinished cellar that has swallowed up the greater portion, if not all, of the thirty-five thousand dollars, and a demand for more than two hundred thousand more to complete the work. Your committee would not discourage appropriations of the most liberal character in aid of this noble humanity, but earnestly commend the necessary safeguards for its faithful disbursement, in compliance with the purpose and object of the Legislature in its liberal contributions.

The amount now asked for to complete this structure, based upon the estimates of the architect, is \$186,310.77. By reference to the report of the Hospital for 1866, the estimate of the architect is from the foundation upwards, and the sums, as then classified, amount to the sum last named. If the whole of the appropriation of \$35,000 has been expended in and upon the cellar walls, then this sum, added to the estimate for superstructure, will make a total cost of \$221,310.77. If the cost of the cellar is only \$21,647.34, as may be implied from the same figures in said report, then the total cost will only reach the sum of \$207,959.11. The probabilities are that these amounts are rather under than above the actual cost, for the experience of the State in public improvements, of this character, does not warrant the hope that estimates are in excess in amount, of what the completion of the work will show to be actually expended.

Notwithstanding the difficulties that surrounded the committee in the investigation with which it was charged, and in its efforts to reach a decided understanding of the fiscal affairs of the Hospital, with a view to the faithful discharge of the duties imposed upon it, and in order to do justice to whom justice is due, it is a source of great pleasure to your committee to bear testimony to the comfortable, contented and comparatively happy condition of the patients, to the orderly and well arranged police of the Hospital, and to the kindly interest of the Superintendent, Physician and Matron, for the welfare

and comfort of the helpless and unfortunate persons committed to their care.

The Asylum for the Deaf and Dumb, and the Institute for the Blind, have each been visited by your committee, and it is with satisfaction that we find much to commend in the fidelity, zeal and ability with which their affairs are conducted. The Asylum and Institute are doing much to accomplish the noble and humane purposes of their establishment; and Superintendents McIntire and Churchman have proved themselves efficient and faithful public servants, and entitled to the gratitude of the public, as they enjoy that of the wards of the State committed to their care and kindness. The simplicity and plainness of their financial exhibits commend them to public confidence, and is an example that might be emulated by other public officers with credit and profit to the public interests.

The above, and foregoing, is respectfully submitted to the consideration of the Senate, and the minority of the Committee would further submit the following allowances for the support, repair, and construction of the Benevolent Institutions of the State:

For the current expenses of the Hospital for the Insane, for the years 1867 and 1868, \$100,000.

For the north wing of same, \$150,000.

For repairs of same, \$5,000.

For current expenses of Asylum for the Deaf and Dumb, \$70,000.

For current expenses of the Institute for the Blind, for the years 1867 and 1868, \$50,000.

Incidentals for the same, \$3,000.

It is also herein earnestly recommended that the above named sum of \$150,000 be expended in such a manner as to insure the completion of the north wing of the Hospital, and that the moneys appropriated for said purpose be expended under the direction of a Board of competent persons whose duty it should be made to make such alterations in the plan of the structure as will bring the cost thereof within the said sum, and better adapt it to the purposes for which it is designed.

Mr. Hanna moved to postpone the further consideration of the reports until Saturday at 10 o'clock, A. M., that they be made the special order for that hour, and that one hundred copies of each be printed for the use of the Senate.

Mr. Bennett moved to lay the motion of Mr. Hanna on the table.

The ayes and noes were demanded by Messrs. Hanna and Bennett.

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Brown, Cason, Church, Cullen, Houghton, Huffman, Johnson, Lewis, Milligan, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Staggs, Stein, Terry, Ward, Wolcott, and Mr. President—25.

Those who voted in the négative were,

Messrs. Barker, Bellamy, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Humphreys, Hyatt, Lee, Mason, Newlin, Noyes, Sherrod, Taggart, and Turner—18.

So the motion was laid on the table.

The report of the Committee was then concurred in.

Mr. Bennett moved to suspend the order of business to enable him to offer a resolution.

The ayes and noes were demanded by Messrs. Hanna and Turner.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Huffman, Jaquess, Johnson, Lewis, Milligan, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Humphreys, Hyatt, Lee, Mason, Newlin, Sherrod, Staggs, Taggart, and Turner—17.

So the order of business was suspended.

Mr. Bennett then offered the following concurrent resolution :

Resolved by the Senate, the House concurring, That each House of the General Assembly will, by a separate concurrent vote, on to-

morrow at 10 o'clock, A. M., proceed simultaneously to elect such Trustees for the Benevolent Institutions of the State as are required by law.

The question being on the adoption of the resolution,

The ayes and noes were demanded by Messrs. Hanna and Turner.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Jaquess, Johnson, Lewis, Milligan, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Ward, Wolcott, and Mr. President—26.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hyatt, Lee, Mason, Newlin, Sherrod, Staggs, Taggart, and Turner—18.

So the resolution was adopted.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Cullen, Chairman of the Committee on Canals and Internal Improvements, made the following report :

MR. PRESIDENT :

The Committee to whom was referred Senate bill No. 142, a bill to provide for the payment of certain monies due from the State to the firm of Moorehead, Hall & Co., and H. R. Wright and Jacob Barends, and their assigns, have had the same under consideration, and have directed me to report the same back with the following amendments, to-wit :

Amend section one by adding, after the figures \$23,494.67, these words : "That being the amount of principal with interest thereon from July 15, 1844, to date."

Amend section one by adding, after the figures \$33,763.48, these words : "That being the amount of principal with interest thereon

from August 25, 1843, to date, and in favor of Patrick Shannon and his assigns, for the sum of \$15,166.75, that being the amount of principal with interest thereon from January 1, 1844, to date."

Amend the title by adding thereto, after the word "assigns," in the last line, "Patrick Shannon," and when so amended, your committee recommend its passage.

Which report was concurred in and the amendments adopted.

By unanimous consent of the Senate, the order of business was suspended and the following bills were introduced :

By Mr. Richmond.

Senate bill No. 229. A bill concerning the mutual duties of common carriers.

Which was read a first time, and

On motion by Mr. Richmond, referred to the Committee on Finance.

By Mr. Cason.

Senate bill No. 230. A bill to repeal an act entitled an act to authorize railroad companies to occupy and use, for railroad purposes, the property of canal companies, with their consent, and to secure them in such occupation and use, and for the protection of the hydraulic powers of each canal, and to authorize the lessees of the water privileges in said canal, to organize a company or companies for the maintenance thereof, in case of the failure of said canal companies to maintain the same, approved November 16, 1863.

Which was read a first time and referred to the Committee on the Judiciary.

By Mr. Rice.

Senate bill No. 231. A bill to save pending suits affected by the passage of an act entitled "An act to repeal sections forty-three and forty-four of an act entitled 'an act prescribing who may make a will, the effect thereof, what may be devised, regulating the revocation, admission to probate, and contest thereof,'" approved May 31, 1852; approved December 21, 1865.

Which was read a first time, and referred to the Committee on the Judiciary.

On motion by Mr. Armstrong, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—47.

On motion the further call of the Senate was suspended.

On motion by Mr. Wolcott a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—47.

On motion by Mr. Oyler the further call of the Senate was dispensed with.

Mr. Bellamy moved to suspend the order of business for the purpose of taking up Senate bills which have been read a third time, and which have failed to pass for want of a constitutional majority. Which was agreed to.

Senate bill No. 46. A bill to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof.

Was taken up.

S. J.—43

Mr. Bennett moved to amend as follows :

By adding immediately after the 23d section the following new section, to-wit :

Section 24. Whenever any person or persons, applying for license to sell liquors under the provisions of this act, or any person or persons remonstrating against such application, shall be aggrieved by the action of the Board of County Commissioners of any county on such application, shall be entitled to, and shall have and take an appeal to the Circuit Court, or Court of Common Pleas of the county in which the application or remonstrance is made, and appeals may be taken to the Supreme Court as in other cases, and either party to such appeal to the Circuit Court or Court of Common Pleas, may demand and have a trial by jury in such Circuit or Common Pleas Court.

Which amendment, on motion by Mr. Stein, was laid on the table.

The question then being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Humphreys, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Mason, Newlin, Sherrod, Staggs, Taggart, and Turner—19.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 9. A bill to amend section 13 of an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties, in civil cases.

Was taken up.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs, Bonham, Cason, Church, Howk, Jaquess, Johnson, Niles, Noyes, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Thompson, Ward, and Mr. President—17.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Carson, Cravens, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Lee, Lewis, Mason, Milligan, Newlin, Oyler, Staggs, Stein, Taggart, Terry, Turner, and Wolcott—29.

So the bill did not pass.

Senate bill No 14. "A bill to establish a Board of Immigration for the purpose of encouraging immigration to the State of Indiana from the Eastern States of the United States, and from the countries of Europe."

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Cason, Carson, Church, Cravens, Cullen, Hanna, Hyatt, Jaquess, Johnson, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—31.

Those who voted in the negative were,

Messrs. Bowman, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Lee, Lewis, Noyes, Staggs, Taggart, and Terry—14.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 20. A bill to amend an act entitled "an act prohibiting Supreme, Circuit or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs and their Deputies, from

practicing law in any of the Courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof."

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Cason, Carson, Church, Cravens, Cullen, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—34.

Those who voted in the negative were,

Messrs. Barker, Bowman, English, Lee, Staggs, and Taggart—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 92. A bill to amend section 22 of an act entitled "an act for the incorporation of towns, defining their powers, provisions for the election of officers thereof and declaring their duties," approved June 11, 1852.

Was taken up.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Cason, Church, Gifford, Jaquess, Johnson, Lewis, Milligan, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, and Wolcott—20.

Those who voted in the negative were,

Messrs. Barker, Bennett, Bowman, Carson, Cravens, Cullen, English, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Lee, Mason, Parrish, Staggs, Taggart, Turner, and Mr. President—21.

So the bill did not pass,

Senate bill No. 94. "A bill to provide for the protection of fur bearing animals."

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Brown, Cason, Carson, Church, Cravens, Cullen, Gifford, Howk, Huffman, Jaquess, Lewis, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Taggart, Thompson, Turner, Ward, Wolcott, and Mr. President—29.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, English, Hanna, Houghton, Huey, Humphreys, Hyatt, Lee, Mason, Milligan, Staggs, and Terry—14.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 100. A bill limiting the liability of Innkeepers.

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Church, Gifford, Houghton, Huey, Hyatt, Jaquess, Johnson, Lee, Newlin, Oyler, Parrish, Reagan, Rice, Richmond, Robinson, Staggs, Terry, Thompson, Turner, Ward, and Wolcott—23.

Those who voted in the negative were,

Messrs. Barker, Bennett, Bowman, Brown, Cason, Carson, Cravens, Cullen, English, Hanna, Howk, Huffman, Humphreys, Lewis, Mason, Noyes, Reynolds, Stein, Taggart, and Mr. President—20.

So the bill did not pass for want of a constitutional majority.

Senate bill No. 105. A bill to amend section five of an act entitled "An act providing for the organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties," approved, June 1, 1852, and providing for Criminal and Civil Circuit Courts, approved December 20, 1865.

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Huey, Jaquess, Lee, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Staggs, Stein, Terry, Thompson, Wolcott, and Mr. President—29.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Bowman, Hanna, Houghton, Howk, Hyatt, Lewis, Niles, Robinson, Smith, Taggart, and Ward—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate the order of business was suspended, and

Senate bill No. 174. A bill for the relief of Peter Wells and Bennoni Wells.

Was taken up, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Parrish,

Reagan, Reynolds, Rice, Richmond, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, and Mr. President—43.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate,

Senate bill No. 93. A bill to amend section one of an act entitled "An act concerning interest on money," approved May 27, 1852.

Was taken up, and read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Church, Cravens, Cullen, Gifford, Hawk, Huffman, Hyatt, Jaquess, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—34.

Those who voted in the negative were,

Messrs. Barker, Bowman, Brown, Carson, English, Hanna, Houghton, Huey, and Humphreys—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and

House bill No. 8. A bill to amend section ninety-nine of Practice Act.

Was taken up, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Carson, Church, Cravens, Cullen, Gifford, Hanna, Houghton, Howk, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—39.

Those who voted in the negative were,

Messrs. English and Huey—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and on motion by Mr. Hyatt,

House bill No. 96. A bill to authorize the Board of Trustees of incorporated towns, to establish fire limits, and to prevent the erection of wooden buildings within such limits.

Was taken up, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—40.

Mr. Staggs voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and on motion by Mr. Mason,

House bill No. 77. A bill to increase the salaries of the prosecut-

ing attorneys of the Sixteenth Judicial Circuit, and providing the manner of paying the same.

Was taken up, and read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Carson, Church, Cravens, Cullen, English, Gifford, Howk, Huffman, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—31.

Those who voted in the negative were,

Messrs. Bowman, Hanna, Houghton, Huey, Humphreys, Lee, Staggs, and Taggart—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Turner asked and obtained leave of absence for Mr. Smith.

A message from the House, by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives, to inform the Senate, that he has signed Enrolled Act No. 142 of the House of Representatives, and the President of the Senate is respectfully requested to sign the same.

I am also directed by the Speaker of the House Representatives to inform the Senate, that he has signed the following Enrolled Act of the House of Representatives, to-wit :

No. 53. An act to fix the time of holding the Court of Common Pleas in the County of Grant, and repealing all laws in conflict therewith.

On motion by Mr. Gifford, the Senate adjourned.

THURSDAY MORNING, 9 O'CLOCK, }
 March 1, 1867. }

The Senate met.

On motion by Mr. Gifford, the reading of the Journal was dispensed with.

REPORTS OF STANDING COMMITTEES.

Mr. Ward, from the Committee on Roads, made the following report:

MR. PRESIDENT:

The Committee on Roads, to whom was referred Senate bill No. 226, a bill to amend the twenty-eighth section of an act entitled "an act to incorporate the Vevay, Mt. Sterling, and Versailles Turnpike Road Company, approved January 4, 1850," have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend its passage.

Which report was concurred in.

Mr. Humphreys, from the Committee on Agriculture, made the following report:

MR. PRESIDENT:

The Committee on Agriculture, to whom was referred Senate bill No. 215, a bill for an act to prevent the spread of the disease commonly called "hog cholera," and other diseases among domestic animals, have duly considered the same, and a majority of said committee instructed me to report the same back, and recommend its passage.

Which report was concurred in.

Mr. Lewis, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 187, a bill to provide for the keeping of a county pauper record, and defining the duties of certain officers in relation thereto, have had the same under consideration, and instructed me to report it back to the Senate, with the recommendation that it pass without amendment.

Which report was concurred in.

Mr. Lewis, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 155, a bill to regulate the salaries of Clerks of the Circuit Court, County Auditors, County Treasurers, County Recorders, and Sheriffs, and to provide for the payment of other fees into the County Treasuries of the State, and providing for their deputies and their salaries and appointment, have had the same under consideration, and direct me to report it back to the Senate, recommending its passage.

Which report was concurred in.

Mr. Wolcott, from a Select Committee, made the following report :

MR. PRESIDENT :

The Committee to whom was referred Senate bill No. 227, a bill to consolidate certain bonds, stocks, and accounts of the school fund into one non-negotiable bond, and making other provisions in relation thereto, respectfully report that they have considered, approved, and recommend the passage of the same.

Which report was concurred in.

Mr. Noyes, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred a concurrent res-

olution in relation to the late Military Auditing Committee, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it lie on the table.

Which report was concurred in.

Mr. Noyes, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred Senate bill No. 219, a bill for the relief of Alfred Williams, Treasurer of Boone county, in the State of Indiana, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it be laid on the table.

Which report was concurred in.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 225, a bill to amend an act entitled "an act regulating Foreign Insurance Companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of this act," approved Dec. 21, 1865, have had the same under consideration, and direct me to report the same back and recommend its passage.

Which report was concurred in.

RESOLUTIONS.

Mr. Jaquess offered the following resolution :

Resolved, That the Secretary of the Third Auditing Committee be requested to deliver to the Senate claims Nos. 1203 and 1307, and that said claims be referred to the Committee on Claims of the Senate.

Which was adopted.

BILLS INTRODUCED.

Mr. Reagan introduced

Senate bill No. 232. "A bill regulating the running at large of swine within this State, and affixing penalties for violating the same, and declaring an emergency."

Which was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

Mr. Reynolds introduced

Senate bill No. 233. A bill to appropriate certain sums of money to the Antietam National Cemetery and to the National Cemetery at Gettysburg.

Which was read a first time, and referred to the Committee on Military Affairs.

Mr. Reynolds introduced

Senate bill No. 234. A bill legalizing the appointment of guardians for persons of unsound mind.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Wolcott moved to suspend the order of business and take up

Senate bill No. 227. A bill to consolidate certain bonds, stocks, and accounts of the School Fund into one new negotiable bond, and making other provisions in relation thereto.

Which was agreed to, and the bill was read a second time.

Mr. Wolcott moved to suspend the rules, consider the bill engrossed, and that it be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Church, Cravens, Cullen, Gifford, Houghton, Howk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Mil-

ligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Rice, Staggs, Stein, Taggart, Terry, Turner, Ward, Wolcott, and Mr. President—37.

No Senator voting in the negative.

So the rules were suspended and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Church, Cravens, Cullen, English, Gifford, Houghton, Howk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Rice, Staggs, Stein, Taggart, Terry, Turner, Ward, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Cullen in the Chair, Mr. Cumback moved to suspend the order of business and take up the following message from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following engrossed bill thereof, to-wit :

House bill No. 278. A bill to amend the fourth paragraph of section first of an act entitled "an act fixing the time of holding Circuit Courts in the several counties of this State," approved June 18, 1852.

Which was agreed to, and the bill therein contained was read a first time.

Mr. Cumback moved to suspend the rules and read the bill a second and third times now.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—42.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a second and third times.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—42.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Bennett, Chairman of the Special Committee, made the following report:

MR. PRESIDENT:

The Special Committee, to whom was referred the affidavit of John H. Holliday, a correspondent of the Cincinnati *Gazette*, in reference to certain charges of corruption published in said paper, beg leave to report that they have had the matter under consideration, and from

the sworn statements of said Holliday, which are herewith submitted, the Committee are of the opinion that no further action of the Senate is necessary in reference thereto, as the person charged with the corrupt propositions mentioned in said statement, was and is in no way connected with the Senate; therefore the Committee ask to be discharged from further duty in the premises.

Which report was concurred in.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Cason, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred House bill No. 13, "A bill to create the Eighteenth Judicial Circuit of the State of Indiana," have had said bill under advisement, and have directed me to report said bill back to the Senate, without amendment, and recommend its passage.

Which was concurred in.

House bill No. 13, contained in the foregoing report, was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—26.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Bowman, Gifford, Houghton, Howk, Huey, Humphreys, Hyatt, Johnson, Lee, Lewis, Sherrod, Staggs, Taggart, and Turner—16.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Mason moved to suspend the order of business, and take up

House bill No. 99. A bill to empower the Boards of County Commissioners of the several counties in this State to convey cemeteries to incorporated towns and cities.

Which was agreed to.

The bill was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Houghton, Hawk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—40.

Mr. Staggs voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

A message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following concurrent resolutions of the Senate, to-wit:

Resolved by the Senate, the House concurring, That each House of the General Assembly will, by a separate concurrent vote on tomorrow at 10 o'clock A. M., proceed simultaneously to elect Trustees for the Benevolent Institutions of this State as are required by law.

The hour having arrived designated by the concurrent resolution contained in the foregoing message.

S. J.—44

On motion by Mr. Cullen, the Senate proceeded to the election of the following officers for the Benevolent Institutions of this State by a *viva voce* vote.

Nominations for Trustee of the Asylum for the Blind being in order,

Mr. Cullen nominated John S. Spann for that office.

Mr. Mason nominated Berry W. Cooper for that office.

Those who voted for John S. Spann were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Johnson, Lewis, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—29.

Those who voted for Berry W. Cooper were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Humphreys, Lee, Mason, Newlin, Sherrod, Smith, Staggs, Taggart, and Turner—17.

Whereupon the President declared that John S. Spann had received a majority of all the votes cast by the Senate for that office.

Nominations for Trustee of the Institution for the Education for the Deaf and Dumb being in order,

Mr. Richmond nominated James C. Burt for that office.

Mr. Mason nominated Dr. Jacob Wolf for that office.

Those who voted for James C. Burt were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Johnson, Lewis, Milligan, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—28.

Those who voted for Dr. Jacob Wolf were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Humphreys, Lee, Mason, Newlin, Sherrod, Smith, Staggs, Taggart, and Turner—17.

Whereupon the President declared that James C. Burt had received a majority of all the votes cast by the Senate for that office.

Nominations for Commissioner for the Hospital for the Insane being in order,

Mr. Bennett nominated John W. Moody for that office.

Mr. Mason nominated Lewis C. Dale for that office.

Those who voted for John W. Moody were,

Messrs. Armstrong. Barker, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Johnson, Lewis, Milligan, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—28.

Those who voted for Lewis C. Dale were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Humphreys, Lee, Mason, Sherrod, Smith, Staggs, Taggart, and Turner—16.

Whereupon the President declared that John W. Moody had received a majority of all the votes cast by the Senate for that office.

A message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that in accordance with a concurrent resolution passed by the two Houses of the General Assembly, on yesterday, the House of Representatives on to-day, at 10 o'clock A. M., proceeded to vote by a *viva voce* vote, for the following officers of the Benevolent Institutions, with the following result:

For Trustee of the Asylum for the Blind, John S. Spann received 62 votes and Lewis C. Dale 35 votes. John S. Spann having received a majority of all the votes cast, was declared by the Speaker, the choice of the House of Representatives for that office.

For Trustee of the Institution for the Education of the Deaf and Dumb, James C. Burt received 60 votes and Jacob Wolfe received 36 votes.

James C. Burt having received a majority of all the votes cast, was declared by the Speaker, the choice of the House of Representatives for said office.

For Commissioner for the Hospital for the Insane, I. W. Moody received 59 votes and James S. Athon received 35 votes.

I. W. Moody having received a majority of all the votes cast, was declared by the Speaker, the choice of the House of Representatives for said office.

Ry unanimous consent of the Senate, the order of business was suspended and the Senate proceeded to the consideration of

SENATE BILLS ON THIRD READING.

Senate bill No. 114. A bill to amend an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto.

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Johnson, Lewis, Milligan, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson Ward, Wolcott and Mr. President—27.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Howk, Huey, Humphreys, Jaquess, Lee, Newlin, Sherrod, Smith, Staggs, Taggart, and Turner—16.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Stein moved to suspend the order of business to enable him to make a motion to reconsider the vote by which Senate bill No. 93 was passed.

Which was not agreed to.

Senate bill No. 141. A bill to define the crime of drunkenness and to provide penalties therefor.

Was taken up.

Pending which, on motion by Mr. Oyler, a call of the Senate was ordered.

The Secretary proceeded with the call.

Those who answered to their names were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott and Mr. President—43.

By unanimous consent the further call of the Senate was dispensed with.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Brown, Church, Hyatt, Johnson, Lewis, Milligan, Noyes, Oyler, Reagan, Rice, Richmond, Robinson, Terry, Thompson, Ward, Wolcott, and Mr. President—20.

Those who voted in the negative were,

Messrs. Bennett, Bowman, Cason, Carson, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Humphreys, Jaquess, Lee, Mason, Newlin, Parrish, Reynolds, Sherrod, Smith, Staggs, Stein, Taggart and Turner—26.

So the bill did not pass.

Mr. Cason moved to reconsider the vote just taken by which Senate bill No. 141 was rejected.

Which was agreed to.

Mr. Terry moved to recommit the bill to the Committee on Temperance with the following instructions: Strike out "ten dollars" wherever it occurs and insert "one dollar," strike out "fifty dollars" wherever it occurs, and insert "twenty dollars," strike out the word "drugs."

Which was agreed to.

Senate bill No. 144. "A bill to provide for impartially empanneling juries in certain cases."

Was taken up.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Cason, Houghton, Hyatt, Jaquess, Johnson, Lewis, Mason, Newlin, Oyler, Reagan, Reynolds, Rice, Robinson, Stein, Terry, and Turner—19.

Those who voted in the negative were,

Messrs. Barker, Bennett, Bowman, Brown, Carson, Church, Cullen, English, Gifford, Hanna, Howk, Huey, Humphreys, Lee, Noyes, Parrish, Richmond, Sherrod, Smith, Staggs, Taggart, Thompson, Ward, and Wolcott—24.

So the bill did not pass.

By consent of the Senate, the order of business was suspended, and

Mr. Parrish, Chairman of the Committee on Military Affairs, made the following report :

[No report furnished the Printer.]

On motion by Mr. Parrish, the report was laid on the table, and two hundred copies were ordered to be printed for the use of the Senate.

Senate bill No. 182. A bill to amend section two of an act entitled, an act to provide compensation to the owners of animals killed or injured by the cars, locomotives or other carriages of any railroad company in the State, approved March 1, 1853, and repealing all laws in conflict therewith, and declaring an emergency.

Was taken up.

On motion by Mr. Richmond, the bill was indefinitely postponed.

Mr. Terry moved to reconsider the vote, by which Senate bill No. 182 was indefinitely postponed.

Which was agreed to.

Mr. Cumback moved to postpone the further consideration of the bill until Tuesday March 5, at 10 o'clock A. M., and that it be made the special order for that hour.

Which was agreed to.

The Senate having resumed the consideration of Senate bills on their third reading.

Senate bill No. 142. "A bill for the payment of moneys due from the State to the firm of Moorhead, Hall & Co., and H. K. Wright and Jacob Barnes, and their assigns."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bonham, Brown, Church, Cravens, Cullen, Hanna, Humphreys, Johnson, Mason, Newlin, Oyler, Parrish, Rice, Richmond,

Robinson, Sherrod, Staggs, Stein, Taggart, Turner, Wolcott, and Mr. President—22.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Cason, Carson, English, Gifford, Houghton, Howk, Huey, Hyatt, Jaquess, Lee, Lewis, Noyes, Reagan, Reynolds, Terry, Thompson, and Ward—23.

So the bill did not pass for want of a constitutional majority.

Senate bill No. 218. A bill directing the State and county officers to receive certain certificates in payment as money.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Church, Cullen, Hanna, Houghton, Howk, Jaquess, Johnson, Lewis, Mason, Newlin, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Stein, Ward, Wolcott, and Mr. President—26.

Those who voted in the negative were,

Messrs. Barker, Bowman, Cravens, English, Gifford, Huey, Humphreys, Hyatt, Lee, Noyes, Staggs, Taggart, Thompson, and Turner—14.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and,

On motion by Mr. Stein, the vote taken on yesterday, by which Senate bill No. 93, "a bill to amend section one of an act entitled an act concerning interest on money, and to provide for the recoupment of usurious interest, approved May 27, 1857," was passed, was reconsidered.

By unanimous consent of the Senate, on motion by Mr. Stein, the bill and the title thereof were amended as follows :

The bill by striking out the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th and 14th lines of the first section.

The title by striking out the words "to amend section one of an act entitled an act," and by striking out the words "approved May 27th, 1852."

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Cason, Church, Cravens, Cullen, Gifford, Houghton, Howk, Hyatt, Jaquess, Johnson, Lee, Lewis, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Staggs, Stein, Taggart, Thompson, Ward, Wolcott, and Mr. President—33.

Those who voted in the negative were,

Messrs. Brown, Carson, English, Hanna, Huey, Humphreys, and Smith—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Hanna, the order of business was suspended, and,

Senate bill No. 228, "a bill to regulate the measurement of work done by plasterers, joiners, carpenters, bricklayers, stonelayers, and painters, and declaring an emergency.

Was read a second time.

Mr. Hanna moved to suspend the rules and read the bill a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bonham, Bowman, Brown,

Church, Cravens, Hanna, Houghton, Howk, Huey, Humphreys, Jaquess, Lee, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—35.

Those who voted in the negative were,

Messrs. Cason, Carson, English, Gifford, Hyatt, Johnson, and Lewis—7.

So the rules were suspended and the bill read a third time.

Mr. Carson moved to recommit the bill to a select committee of three.

Which was agreed to.

The President appointed Messrs. Carson, Reagan and Huffman, said select committee.

By unanimous consent of the Senate the order of business was suspended, Mr. Reagan made the following report :

MR. PRESIDENT :

The Committee on Temperance, to whom was recommitted with instructions Senate bill No. 141, "a bill to define the crime of drunkenness and to provide penalties therefor," have directed me to inform the Senate that they have concurred in the instructions, striking out "or drugs" in fifth line of first section; also in twelfth line, strike out "ten," and insert "one;" also "fifty," and insert "twenty." And when so amended would recommend its passage.

Which report was concurred in and the amendments adopted.

The Senate having resumed the consideration of Senate bills on their third reading,

Senate bill No. 84, "a bill relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries, and repealing certain laws in relation thereto."

Was read a third time.

Mr. Cravens moved to recommit the bill to a select committee of five, with the following instructions :

Amend first section in thirty-third line by striking out "twenty-five hundred dollars," and inserting the following in lieu thereof : "Two thousand dollars, and in addition thereto a docket fee of one dollar on each and every case by him disposed of;" also by striking out of the thirty-fifth line the words "two thousand dollars," and inserting the following : "Fifteen hundred dollars, and in addition thereto a docket fee of one dollar on each and every case by him disposed of, and to repeal section four of chapter 146, of the act relative to salaries approved March 5, 1859."

Pending the consideration of the motion to recommit with instructions,

On motion by Mr. Cullen, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

The Senate resumed the consideration of the motion of Mr. Cravens, to recommit Senate bill No. 84 to a Select Committee, with instructions, pending at adjournment.

Mr. Bellamy offered the following as a substitute for the instructions proposed by Mr. Cravens :

Amend first section in thirty-third line by striking out "twenty-five hundred," and inserting "two thousand;" also in thirty-fifth line by striking out "two thousand" and inserting "eighteen hundred."

Amend section three by striking out of the fourth line thereof the following words, "Supreme Court and."

Mr. Johnson moved to indefinitely postpone the bill and pending motions.

The question being on the motion to indefinitely postpone,

The ayes and noes were demanded by Messrs. Bennett and Johnson.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bowman, Carson, Church, Cullen, English, Gifford, Hanna, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Staggs, Taggart, Terry, Thompson, Turner, and Ward—30.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Cravens, Hawk, Rice, Richmond, Robinson, Stein, Wolcott, and Mr. President—13.

So the bill and pending motions were indefinitely postponed.

Mr. Oyler moved to reconsider the vote just taken indefinitely postponing Senate bill No. 84, and the pending motions to recommit it with instructions.

Mr. Hanna moved to lay the motion to reconsider on the table.

Which was agreed to.

On motion by Mr. Gifford, a call of the Senate was ordered, and the Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Baker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Hawk, Huey, Huffman, Humphrey, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—46.

On motion by Mr. Bennett, further proceeding under the call was dispensed with.

On motion by Mr. Cullen, the order of business was suspended, and Senate bill No. 142, a bill to provide for the payment of certain moneys due from the State to the firm of Moorhead, Hall & Co., and H. K. Wright, Jacob Barnes, Patrick Shannon, and their assigns.

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bennett, Bonham, Church, Cravens, Cullen, Hanna, Huey, Huffman, Humphreys, Jaquess, Lee, Mason, Newlin, Oyler, Parrish, Rice, Richmond, Robinson, Sherrod, Staggs, Stein, Taggart, Turner, Wolcott, and Mr. President—26.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, Cason, English, Gifford, Houghton, Howk, Hyatt, Lewis, Niles, Noyes, Reagan, Reynolds, Terry, Thompson, and Ward—18.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

SPECIAL ORDERS.

Senate bill No. 139, a bill to carry into effect the benefits of an act of Congress, approved July 5, 1852, entitled "an act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts, and to establish and locate a College for the promotion of general science and for the teaching of such branches of learning as are related to agriculture and the mechanic arts and military tactics, and for the acceptance of donations for the benefit of such College, the amendment reported by the Special Joint Committee on Agricultural College thereto, and the pending vote on the location of the said College, were taken up.

Mr. Turner moved that the whole subject of the special order be indefinitely postponed.

Mr. Turner then moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question be now put?

It was agreed to.

The question then being, shall the subject of the special order be indefinitely postponed.

The ayes and noes were demanded by Messrs. Bennett and Turner.

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bowman, Carson, Cravens, English, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Lewis, Niles, Noyes, Reagan, Rice, Staggs, Taggart, Terry, Thompson, Turner, and Ward—24.

Those who voted in the negative were,

Messrs. Armstrong, Bennett, Bonham, Brown, Cason, Church, Cullen, Gifford, Hanna, Johnson, Lee, Mason, Milligan, Newlin, Oyler, Parrish, Reynolds, Richmond, Robinson, Sherrod, Stein, Wolcott, and Mr. President—23.

So the special order was indefinitely postponed.

Mr. Niles moved to reconsider the vote just taken.

Mr. Turner moved to lay the motion to reconsider on the table.

Pending which, on motion by Mr. Cason, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names:

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sher-

rod, Staggs, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—46.

The further call of the Senate was dispensed with.

The question recurring on the motion of Mr. Turner to lay the motion to reconsider on the table,

The ayes and noes were demanded by Messrs. Hanna and Cullen.

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bowman, Brown, Carson, Cravens, English, Gifford, Houghton, Hawk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lewis, Niles, Noyes, Reagan, Reynolds, Staggs, Taggart, Terry, Thompson, Turner, and Ward—27.

Those who voted in the negative were,

Messrs. Armstrong, Bennett, Bonham, Cason, Church, Cullen, Hanna, Lee, Mason, Milligan, Newlin, Oyler, Parrish, Rice, Richmond, Robinson, Sherrod, Wolcott, and Mr. President—19.

So the motion to reconsider was laid on the table.

The Senate having resumed the consideration of Senate bills on their third reading,

Senate bill No. 108. A bill to amend an act entitled "An act for the incorporation of Insurance Companies, defining their powers and prescribing their duties," approved June 17, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Carson, Houghton, Hyatt, Jaquess, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, and Wolcott—26.

Those who voted in the negative were,

Messrs. Bennett, Bonham, Bowman, Cason, Cullen, English, Gif-

ford, Howk, Huey, Huffman, Humphreys, Lee, Sherrod, and Mr. President—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Rice moved to reconsider the vote just taken by which Senate bill No. 108 was passed.

Which was not agreed to.

Senate bill No. 117, "a bill to amend section first and tenth of an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and repeal all laws inconsistent therewith, providing penalties therein prescribed.

Was read the third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Lewis, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—26.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Howk, Huey, Huffman, Humphreys, Lee, Mason, Newlin, Sherrod, Staggs, Taggart, and Turner—16.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Stein asked and obtained leave of absence for Mr. Huffman.

Mr. Hanna asked and obtained leave of absence for Mr. Lee.

On motion by Mr. Oyler, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—43.

On motion by Mr. Oyler, the further call of the Senate was dispensed with.

Senate bill No. 116, "a bill to amend sections eighteen and twenty-five of an act entitled an act for the government of the Indiana Hospital for the Insane and the care of the Insane of Indiana, approved January 15, 1852."

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Cravens, Cullen, English, Gifford, Houghton, Howk, Huey, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Stein, Taggart, Terry, Thompson, Turner, Ward, Walcott, and Mr. President—38.

Those who voted in the negative were,

Messrs. Hanna, Humphreys, and Staggs—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 120, "a bill to amend section sixty-three of "an act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852.

Was read a third time.

S. J.—45

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Carson Cravens, Cullen, English, Gifford, Houghton, Howk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—35.

Those who voted in the negative were,

Messrs. Barker, Hanna, Staggs, Taggart, and Turner—5.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 160. A bill to prevent persons who have been or may hereafter be enrolled, mustered or drafted into the military, naval or marine service of the United States, or of the State of Indiana, and who have deserted, or shall hereafter desert the same, from exercising the elective franchise at any general or special election held in said State, and forever disfranchising such person, and prescribing what evidence shall be *prima facie* in such cases under this act, and under the twenty-first section of the act of Congress entitled an act to amend the several acts in force, heretofore passed, to provide for the enrolling and calling out of the national forces, and for other purposes, approved March 3, 1865.

Which was read a third time.

Mr. Bennett moved to recommit the bill to the Committee on Military Affairs with instructions to amend the bill so as to prohibit any person who voluntarily served in any capacity in the so-called confederate army from voting at any election in this State.

Mr. Turner moved to amend the instructions by adding "all who were dishonorably discharged from the United States service."

Mr. Hanna moved to lay the motion to recommit with instructions on the table.

The ayes and noes were demanded by Messrs. Hanna and Bennett.

Those who voted in the affirmative were,

Messrs. Barker, Bowman, English, Gifford, Hanna, Hawk, Humphreys, Mason, Newlin, Parrish, Sherrod, Staggs, Stein, Taggart, Turner, and Wolcott—16.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Cravens, Cullen, Houghton, Hyatt, Jaquess, Jonson, Lewis, Milligan, Noyes, Oyler, Reagan, Reynolds, Rice, Robinson, Terry, Ward, and Mr. President—24.

So the motion to lay the motion to recommit with instructions on the table did not prevail.

Mr. Turner asked and obtained leave to withdraw his proposed amendment to the instructions.

The question then recurring upon the motion to recommit with the instructions offered by Mr. Bennett.

The ayes and noes were demanded by Messrs. Hanna and Bennett.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Cravens, Cullen, Houghton, Hyatt, Lewis, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Terry, Thompson, Ward, and Mr. President—24.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Hawk, Huey, Humphreys, Johnson, Mason, Sherrod, Staggs, Stein, Taggart, Turner, and Wolcott—17.

So the bill was recommitted.

Senate bill 128. A bill to amend section twenty-eight of an act entitled an act defining felonies and prescribing punishment therefor, approved June 10, 1862.

Was read a third time and, on motion, laid on the table.

Senate bill No. 153. A bill to provide for the incorporation of religious societies and defining their powers.

Was read a third time.

Mr. Cullen moved to recommit the bill to the Committee on Corporations, with instructions to amend by striking out the last section and insert the following: "This act to take effect whenever it shall be officially made known to the Governor of this State that the Pope of Rome has consented to the establishment of Protestant churches in the city of Rome.

Mr. Hanna moved to lay the motion to recommit on the table.

The ayes and noes were demanded by Messrs. Hanna and Cullen.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bowman, Carson, Church, English, Gifford, Hanna, Hawk, Huey, Humphreys, Mason, Newlin, Noyes, Oyler, Parrish, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, and Wolcott—26.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Cravens, Cullen, Houghton, Hyatt, Jaquess, Johnson, Lewis, Milligan, Reagan, Rice, Richmond, and Mr. President—17.

So the motion to recommit with instructions was laid on the table.

Mr. Richmond moved to indefinitely postpone the bill.

Mr. Hanna moved to lay the motion to indefinitely postpone on the table.

The ayes and noes were demanded by Messrs. Hanna and Richmond.

Those who voted in the affirmative were,

Messrs. Barker, Bowman, Church, English, Gifford, Hanna, Hawk, Huey, Humphreys, Mason, Newlin, Oyler, Parrish, Reynolds, Sherrod, Staggs, Stein, Taggart, Thompson, Turner, Ward, and Wolcott—21.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Cravens, Cullen, Houghton, Hyatt, Jaquess, Johnson, Lewis, Milligan, Noyes, Reagan, Rice, Richmond, Robinson, Terry, and Mr. President—22.

So the motion to postpone was laid on the table.

Mr. Bennett moved to recommit the bill with instructions to “amend so as to allow the members of such church to elect the trustees and other officers of such corporations.”

Mr. Turner moved to lay the motion to recommit on the table.

The ayes and noes were demanded by Messrs. Turner and Johnson.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bowman, Carson, Church, English, Gifford, Hanna, Houghton, Howk, Huey, Humphreys, Mason, Newlin, Oyler, Parrish, Sherrod, Staggs, Taggart, Turner, Ward, and Wolcott—22.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Cravens, Cullen, Hyatt, Jaquess, Johnson, Lewis, Milligan, Noyes, Reagan, Rice, Richmond, Robinson, Terry, Thompson, and Mr. President—20.

So the motion to recommit was laid on the table.

Mr. Rice moved that the Senate do now adjourn.

The ayes and noes being demanded by five Senators.

Those who voted in the affirmative were,

Messrs. Bonham, Church, English, Houghton, Howk, Johnson, Mason, Rice, Sherrod, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—15.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown,

Cason, Carson, Cravens, Cullen, Gifford, Hanna, Huey, Huffman, Hyatt, Jaquess, Lewis, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Staggs, Taggart, and Terry—29.

So the motion to adjourn did not prevail.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bowman, Carson, Church, English, Gifford, Hanna, Houghton, Howk, Huey, Humphreys, Mason, Newlin, Oyler, Parrish, Reynolds, Sherrod, Staggs, Stein, Taggart, Turner, Ward and Wolcott—23.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Cravens, Cullen, Hyatt, Jaquess, Johnson, Lewis, Milligan, Noyes, Robinson, Reagan, Rice, Richmond, Terry, Thompson, and Mr. President—21.

So the bill failed to pass for want of constitutional majority.

A message from the House, by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate, that he has signed the following Enrolled Acts of the House of Representatives, to-wit:

No. 13. "An act to create the Eighteenth Judicial Circuit of the State of Indiana, and fixing the time of holding courts therein.

No. 96. "An act authorizing the Board of Trustees of incorporated towns to establish fire limits, and to prevent the erection of wooden buildings within such limits,"

And the President of the Senate is hereby respectfully respectfully requested to sign the same.

A message from the House, by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate, that he has signed the following Enrolled Act of the House of Representatives, to-wit:

No. 99. "An act to empower the Board of County Commissioners of the several counties of this State, and to convey cemeteries to cities and incorporated towns.

On motion by Mr. Stein, the Senate adjourned.

SATURDAY MORNING, 9 o'clock, }
 March 2, 1867. }

The Senate met.

On motion by Mr. Oyler, the reading of the Journal was dispensed with.

Mr. Cravens moved to reconsider the vote by which Senate bill No. 142, "A bill to provide for the payment of certain moneys due from the State to the firm of Moorhead, Hall & Co., H. K. Wright, Jacob Barcus and Patrick Shannon."

Was passed on yesterday.

Pending which,

On motion by Mr. Oyler, a call of the Senate was ordered.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—45.

On motion by Mr. Cullen, the further call of the Senate was dispensed with.

The question recurring on the motion to reconsider.

The ayes and noes were demanded by Messrs. Cullen and Cravens.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, Carson, Cravens, English, Gifford, Houghton, Howk, Huey, Hyatt, Johnson, Lewis, Milligan, Niles, Noyes, Reagan, Reynolds, Robinson, Terry, Ward, and Mr. President—23.

Those who voted in the negative were,

Messrs. Barker, Bennett, Bonham, Church, Cullen, Hanna, Humphreys, Jaquess, Mason, Newlin, Oyler, Parrish, Richmond, Sherrod, Staggs, Stein, Turner, and Wolcott—18.

So the vote was reconsidered.

On motion by Mr. Cullen, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Hawk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—45.

The further call of the Senate was then dispensed with.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bonham, Church, Cullen, Hanna, Jaquess, Mason, Newlin, Oyler, Parrish, Richmond, Sherrod, Staggs, Stein, Turner, and Wolcott—16.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Carson, Cravens, English, Gifford, Houghton, Hawk, Huey, Hyatt, Humphreys, Johnson, Lewis, Milligan, Niles, Noyes, Reagan, Reynolds, Rice, Robinson, Terry, Thompson, Ward, and Mr. President—26.

So the bill did not pass.

Mr. Noyes moved to reconsider the vote just taken on the passage of the bill.

Mr. Bellamy moved to lay the motion to reconsider on the table.

The ayes and noes were demanded by Messrs. Cullen and Turner.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, Carson, Cravens, English, Gifford, Houghton, Howk, Huey, Hyatt, Jaquess, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Robinson, Terry, Thompson, Ward, and Mr. President—28.

Those who voted in the negative were,

Messrs. Barker, Bonham, Cullen, Hanna, Humphreys, Mason, Newlin, Parrish, Richmond, Sherrod, Staggs, Stein, and Turner—13.

So the motion was laid on the table.

Mr. Jaquess, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee, to whom was referred Senate bill No. 220, a bill to amend an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, Aporaisers of real property, County Treasurers and Auditors and of the Treasurer and Auditor of State," have had the same under consideration, and beg leave to report the same back to the Senate and recommend its passage.

Which report was concurred in.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 189, a bill to amend an act entitled an act to provide for the collection and assessment of real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Asses-

sors, and prescribing the duties of Assessors, Appraisers, of real property, County Treasurers, and Auditors, and of the Treasurer and Auditor of State, and for the repeal of section one hundred and ninety-eight of said act, approved June 21, 1852, report that they have had said bill under consideration, and recommend that it be stricken out from the enacting clause, and the following bill be substituted therefor, and that it be passed :

Senate bill No. 189. An act to relieve Montgomery county conditionally from payment to the State of \$38,441.69, for which the late Treasurer of said county was delinquent, and to provide for the settlement of a claim of John Pettit for professional services growing out of an alleged effort to collect said money.

WHEREAS, The county of Montgomery is indebted to the State in the sum of \$38,441.69 for State revenues collected by one Schooler, late Treasurer of said county, and for which he is delinquent; and,

WHEREAS, As is alleged, the State, through her Agent, took action in reference to the collection of said monies from the sureties of said Treasurer, by which it is claimed that said sureties were improperly released; and,

WHEREAS, John Pettit, Esq., of Tippecanoe county, alleges that he has a claim against the State for attorney's fees for services rendered for the State in an attempt to collect said money from said county. Now, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That said county of Montgomery shall be released from the payment of said money to the State on the condition mentioned in section two of this act.

SECTION 2. Said John Pettit is hereby authorized to bring an action against both the State of Indiana and the Board of Commissioners of said county of Montgomery, either in the Montgomery or the Marion Circuit Court, for the recovery of his said alleged claim for such services, in the same manner as if said claim were a joint claim against both the State and said county, which action may be defended by said Board of Commissioners, and by the Attorney General of the

State, and in case judgment be rendered in said action in favor of said Pettit, it shall be rendered against the said Board of Commissioners of said county of Montgomery, and to be paid by said county alone, and not by the State; and on the payment of such judgment, rendered against said county the release of said county mentioned in the first section of this act shall take effect. *Provided*, That should said Pettit fail to bring such action within one year from this date and prosecute the same with reasonable diligence to final judgment, his said claim against the State shall be forever barred, and said release shall thenceforth become operative; and, *provided, further*, that should said Board of Commissioners refuse or neglect, after the bringing of such action, to consent of record in the proper county to the prosecution of such action against them, in the manner and for the purposes aforesaid, then, and in that case, the above release of said county shall thenceforth be imperative.

SECTION 3. An emergency exists for the immediate taking effect of this act, the same shall therefore take effect and be in force from and after its passage.

The Committee also report a new bill, No. 235, a bill supplemental to an act entitled an act to provide for the valuation and collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors and appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State, approved June 21, 1852, embracing a portion of the subject matter of said original bill, and recommend that it be passed.

Which report was concurred in, and the amendments adopted.

Senate bill No. 189, contained in the foregoing report, was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 235, reported by the Committee, in the foregoing report,

Was read a first time.

Mr. Cullen moved to suspend the rules, and that the bill be considered as engrossed, and read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Hawk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Rice, Richmond, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—40.

Mr. Bellamy voting in the negative.

So the rules were suspended and the bill read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Cravens, Cullen, English, Gifford, Hanna, Houghton, Huey, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward, and Mr. President—38.

Mr. Barker voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Bonham offered the following resolution:

Resolved, That when the Senate adjourn it adjourn to meet on Monday next at 2½ o'clock P. M.

The question being on the adoption of the resolution,

The ayes and noes were demanded by Messrs. Hanna and Bennett.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bonham, Brown, Cravens,

Cullen, English, Jaquess, Johnson, Parrish, Reagan, Stein, Thompson, and Ward—15.

Those who voted in the negative were,

Messrs. Bennett, Bowman, Cason, Carson, Hanna, Houghton, Huey, Humphreys, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Reynolds, Rice, Richmond, Robinson, Sherrod, Staggs, Taggart, Terry, Thompson, Wolcott, and Mr. President—25.

So the resolution was not adopted.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Cullen presented several petitions from colored citizens of Rush county, asking that all persons be put on an equality before the law.

Which were referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Sherrod offered the following resolution :

Resolved, That a committee of three be appointed and requested to examine and ascertain why the documents mailed by Senators fail to reach their destination, and report the result to this Senate.

Which was adopted.

The President appointed Messrs. Sherrod, Mason and Jaquess said committee.

Mr. Cason, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 91, "a bill to assert the control of the State over railroad corporations, to fix the rate of freight, and to prevent extortion, and to provide

rules and by-laws for such roads and for the punishment for the violation thereof, and for the licensing of locomotive engineers," have had the same under consideration, and direct me to report said bill back to the Senate with the following amendments:

Strike out all of said bill except sections 10, 11, 12, and the following words in section 13 after the word "State," in the fourth line, "or shall employ any locomotive engineer not licensed as hereinafter provided." And when so amended your committee do recommend the passage of said bill.

Which report was concurred in, and the amendments adopted.

Mr. Cason moved to suspend the order of business and that Senate bill No. 91, contained in the foregoing report, be read a second time now.

Which was agreed to, and the bill was read a second time and ordered to be engrossed for a third reading on to-morrow.

On motion by Mr. Bennett, the order of business was suspended, and the Senate proceeded to the consideration of

SENATE BILLS ON THIRD READING.

Senate bill No. 129. A bill to amend an act entitled "an act to revise simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Cullen, Houghton, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Rice, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—34.

Those who voted in the negative were,

Messrs. English and Turner—2.

So the bill passed.

Mr. Niles moved to reconsider the vote just taken, by which Senate bill No. 129 was passed.

Which was not agreed to.

Ordered, That the Secretary inform the House of the passage of the bill.

Senate bill No. 131. A bill to amend section 784 of an act entitled "an act to revise simplify and abridge the rules, practice, pleadings and forms, in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Johnson, Lewis, Milligan, Newlin, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Stein, Terry, Thompson, Ward, and Mr. President—26.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Huey, Humphreys, Sherrod, Staggs, Taggart and Wolcott—10.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 140. "A bill authorizing Insurance Companies to reinsure their risks and close up their business."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Cason, Cravens, Cullen, English, Houghton, Huey, Humphreys, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Staggs, Stein, Taggart, Thompson, Turner, Ward, Wolcott, and Mr. President—31.

Those who voted in the negative were,

Messrs. Bowman, Hyatt, Sherrod and Terry—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 141. "A bill to define the crime of drunkenness and to provide penalties therefor."

Was taken up.

The question being, shall the bill pass?

Mr. Sherrod moved to indefinitely postpone the bill.

Mr. Bellamy moved to lay the motion to indefinitely postpone on the table.

Pending which, on motion by Mr. Oyler, a call of the Senate was ordered.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Cason, Carson, Church, Cravens, Cullen, English, Hanna, Houghton, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Staggs, Stein, Taggart, Terry, Thompson, Turner, Ward and Mr. President—40.

On motion the further call of the Senate was dispensed with.

The question recurring upon the motion to lay the motion to indefinitely postpone the bill, on the table,

The ayes and noes were demanded by Messrs. Bennett and Sherrod.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Church, Houghton, Johnson, Lewis, Milligan, Niles, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Thompson, Ward, and Mr. President—18.

Those who voted in the negative were,

Messrs. Barker, Bennett, Bowman, Carson, Cravens, English, Huey, Humphreys, Hyatt, Jaquess, Mason, Newlin, Parrish, Sherrod, Staggs, Stein, Taggart, and Turner—18.

So the motion to indefinitely postpone was not laid on the table.

The question then recurring on the motion to indefinitely postpone the bill.

The ayes and nays were demanded by Messrs. Oyler and Sherrod.

Those who voted in the affirmative were,

Messrs. Barker, Bennett, Bowman, Carson, Cravens, English, Hanna, Huey, Humphreys, Hyatt, Jaquess, Mason, Newlin, Parrish, Sherrod, Staggs, Stein, Taggart, and Turner—19.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bonham, Church, Cullen, Houghton, Johnson, Lewis, Milligan, Niles, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Thompson, Ward, and Mr. President—19.

So the motion to postpone did not prevail.

The question then being, shall the bill pass?

Mr. Richmond moved to lay the bill on the table.

Which was agreed to.

Senate bill No. 147. A bill to amend the fifth clause, or subdivision of section seven, repealing the seventh clause and to amend section eleven of an act entitled an act regulating the granting of divorces, nullification of marriages and decrees, and orders of court incident thereto, approved May 13, 1852, and to amend sections one and two of an act entitled an act to amend the sixth section and the

third clause of the seventh section, and the twelfth, fourteenth, nineteenth, and twentieth sections of an act entitled an act regulating the granting of divorces, nullification of marriages and decrees and orders of court incident thereto, and to provide for opening up decrees of divorce in certain cases, approved May 13, 1852; approved March 4, 1859.

Was taken up and considered as engrossed.

Mr. Rice moved to recommit the bill to the Committee on the Judiciary with instructions to strike therefrom every cause for divorce except adultery and fornication.

Mr. Cullen moved to indefinitely postpone the bill and the pending motion to recommit with instructions.

The ayes and noes were demanded by Messrs. Church and Oyler.

Those who voted in the affirmative were,

Messrs. Bennett, Bonham, Cravens, Cullen, Hanna, Huey, Humphreys, Jaquess, Mason, Oyler, Parrish, Sherrod, Terry, Thompson, and Ward—15.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Carson, Church, English, Houghton, Hyatt, Johnson, Lewis, Milligan, Niles, Reagan, Rice, Richmond, Robinson, Stein, Taggart, Turner, Wolcott, and Mr. President—22.

So the motion to indefinitely postpone the bill and pending instructions did not prevail.

The question recurring on the motion to recommit with instructions.

The ayes and noes were demanded by Messrs. Oyler and Rice.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bowman, Cason, Cullen, English, Huey, Humphreys, Mason, Newlin, Oyler, Reynolds, Rice, Robinson, Taggart, Turner, and Mr. President—17.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bonham, Church, Hanna, Houghton, Hyatt, Jaquess, Johnson, Lewis, Milligan, Niles, Parrish, Reagan, Richmond, Sherrod, Stein, Thompson, Ward, and Wolcott—20.

So the motion to recommit with instructions did not prevail.

Leave of absence was granted to Messrs. Noyes, Brown, Gifford, Staggs, and Richmond.

Pending the third reading of the bill,

On motion by Mr. Carson, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

The Senate resumed the consideration of Senate bill No. 147, pending at adjournment.

The bill was read a third time and, by unanimous consent of the Senate, laid on the table.

A message from the House, by Mr. Nixon, Clerk thereof.

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed the following Enrolled act of the House of Representatives, to-wit :

No. 278. An act to amend the fourth paragraph of section first of an act entitled "An act fixing the time of holding Circuit Courts in the several counties of this State," approved June 18, 1852.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Parrish, Chairman of the Committee on Military Affairs, made the following report:

MR. PRESIDENT:

The Committee on Military Affairs, to whom was referred a concurrent resolution instructing the Adjutant General of the State to close up the business of his office by the first day of January, 1868, so as not to require, after that time, the services of more than one clerk, respectfully report that they have had the same under advisement; that they have examined the records and pending business in said office, and for the reasons more fully set forth in the report of the Joint Committee of both Houses as to the amount of labor to be performed in said office, they are of the opinion that the office should be continued as at present organized, and therefore recommend that said concurrent resolution lie upon the table.

Which report, on motion by Mr. Cullen, was laid on the table.

By unanimous consent of the Senate, the order of business was suspended, and

The following bills were introduced by Mr. Carson:

Senate bill No. 236. A bill fixing the time of holding the Courts in the Tenth Judicial Circuit, changing the length of the terms in some of the counties thereof, and prescribing that in other respects existing regulations shall apply thereto.

Which was read a first time, and referred to the Committee on the Organization of Courts.

By Mr. Carson,

Senate bill 237. A bill creating the Nineteenth, Twentieth and Twenty-First Judicial Circuits, and providing for the election of Judges and Prosecuting Attorneys therein, and providing compensa-

tion therefor, declaring their jurisdiction and providing for a transfer of actions thereto.

Which was read a first time, and referred to the Committee on the Organization of Courts.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Wolcott presented a remonstrance from one thousand citizens of Warren county against a proposed change in the boundaries of that county.

Which was laid on the table.

Mr. Robinson presented petitions from sundry citizens of Madison county, asking the enactment of a prohibitory liquor law.

Which were referred to the Committee on Temperance.

REPORTS OF STANDING COMMITTEES.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 145, a bill to amend the seventh clause of section twenty-two of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 11, 1852, have had the same under consideration, and direct me to report the bill back and recommend its passage.

Which was concurred in.

Mr. Hanna, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 229, "A bill concerning the mutual duties of common carriers,"

have had the same under consideration, and have directed me to report the same back to the Senate and recommend its passage.

Which report was concurred in.

Mr. Humphreys, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claim of Thomas Darcy, for three days service as Assistant Doorkeeper of the Senate at the Special Session, 1865, have considered the same, and have instructed me to report the same back, and recommend that it be referred to the Committee on Finance, and that the same be allowed.

Which report was concurred in.

Mr. Parrish, Chairman of the Committee on Military Affairs, made the following report :

MR. PRESIDENT :

The Committee on Military Affairs, to whom was referred Senate bill No. 233, "a bill to appropriate certain sums of money to the Antietam National Cemetery, and to the Soldiers' National Cemetery at Gettysburgh," have had the same under consideration, and have directed me to report the same back with a recommendation that the same do pass.

Which report was concurred in.

By unanimous consent of the Senate the order of business was suspended, and Senate bill No. 233, contained in the foregoing report, was read a second time and ordered to be engrossed for a third reading on to-morrow.

Mr. Oyler, Chairman of the Committee on the Organization of Courts, made the following report :

MR. PRESIDENT :

The Committee on the Organization of Courts, to whom was referred Senate bill No. 82, "a bill districting the State for Judicial

purposes, and for fixing the time of holding the Circuit Courts in the several counties of the State," have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Lewis, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate bill No. 204, a bill to amend section 104 of an act entitled, "an act to amend sections 78, 79, 94, 95, 104, 142, and 143 of an act entitled 'an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, appraisers of real property, County Auditors and Treasurers, and of the Treasurer and Auditor of State, approved June 21, 1852,'" and to repeal an act entitled, an act to to amend the one hundred and forty-third section of an act entitled, an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, and appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of the State, approved June 21, 1852; approved March 4, 1859; approved May 31, 1861.

Have had the same under consideration and instructed me to report it back with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Cason, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred House bill No. 240, "a bill to provide for the inspection of coal oil, petroleum oils, and mixture of coal and petroleum oils, and prescribing penalties for the violation thereof, and prescribing jurisdiction for the enforce-

ment of penalties," have had the same under consideration and now report it back to the Senate with the following amendment:

After the word "duties" in the fourth line of the sixth section, insert the words "to appoint deputies."

This amendment being adopted, the Committee recommend the passage of the bill.

Which report was concurred in, and the amendment adopted.

RESOLUTIONS.

Mr. Stein offered the following resolution:

Resolved, That the State Librarian be instructed to purchase one copy of Wilson's Digest of Parliamentary Law for the use of the President of the Senate, one copy for each Senator, and one copy for each of the elective officers of the Senate.

Which resolution was adopted.

Mr. Church offered the following resolution:

Resolved, That the Librarian be, and is hereby directed to furnish each member of the Senate, and each elective officer thereof, the sum of nine dollars in postage stamps, or stationery, in addition the amount already received.

Which was agreed to.

BILLS INTRODUCED.

Mr. Oyler introduced

Senate bill No. 238. A bill to amend and repeal an act entitled "an act to provide for the sale of certain lands belonging to the State of Indiana, in the counties of Jasper and Newton, and to give pre-emption to actual settlers therein," approved Dec. 12, 1865, and for the relief of John P. Dunn, former Auditor of State.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Bonham introduced

Senate bill No. 239. A bill to amend the title of an act entitled "an act making general appropriations for the year 1866, repealing

certain sections of an act therein named, and declaring an emergency.”

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Taggart introduced

Senate bill No. 240. A bill fixing the time of holding the Circuit Court in the First Judicial Circuit, and repealing all laws in conflict therewith, and making all writs, summons and process returnable thereto, approved March 7, 1861.

Which was read a first time, and referred to the Committee on the Organization of Courts.

MESSAGES FROM THE HOUSE.

The following messages from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit :

No. 316. A bill to protect and indemnify officers and soldiers of the United States, and officers and soldiers of the Indiana Legion for acts done in the military service of the United States, and in the military service of the State of Indiana, &c., &c.

House bill No. 316, contained in the foregoing message, was read a first time, and referred to the Committee on Military Affairs.

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House has passed the following engrossed bill thereof, to-wit :

No. 211. A bill authorizing hydraulic companies to appropriate lands to their use upon paying the assessed value thereof, and providing for such assessment.

House bill No. 211, contained in the foregoing message, was read a first time, and referred to the Committee on Corporations.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed joint resolution thereof, to-wit :

Engrossed House Joint Resolution No. 10, entitled a joint resolution for the relief of David Stephenson.

And it is respectfully requested that the Senate concur therein.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bills thereof, to-wit :

Engrossed House bill No. 133, entitled a bill to amend the 38th section of an act entitled "an act providing for the election and qualification of Justices of the Peace.

House Joint Resolution No. 10, contained in the foregoing message, was read a first time, and referred to the Committee on Claims.

House bill No. 133, contained in the foregoing message, was read a first time, and referred to the Committee on County and Township Business.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit :

No. 15. A bill to carry out the provisions of an act entitled "an act to create the State Normal School, &c., &c."

No. 337. A bill to fix the time of holding the Circuit Court in the county of Kosciusko, of the Fourteenth Judicial Circuit.

No. 223. A bill regulating charges for transportation of freight by the various railroad corporations doing business in the State of Indiana.

House bill No. 15, contained in the foregoing message, was read a first time, and referred to the Committee on Corporations.

House bill No. 337, contained in the foregoing message, was read a first time, and passed to a second reading on to-morrow.

House bill No. 223, contained in foregoing message, was read a first time, and referred to the Committee on Corporations.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed the following engrossed bill thereof, to-wit :

No. 286. A bill providing for the erection of a suitable building for the use of the Supreme Court and State officers ; for borrowing money from the sinking fund therefor, and securing the re-payment of the same ; making certain regulations touching the law library, and authorizing the Judges of the Supreme Court to rent rooms for their accommodation, until such building is completed.

In the passage of which the concurrence of the Senate is respectfully requested.

House bill No. 286, contained in the foregoing message, was read a first time.

Mr. Oyler presented a proposition of G. W. Miller, on the same same subject.

On motion by Mr. Oyler, the bill and proposition were referred to the Committee on Public Buildings.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills, to-wit :

No. 21. A bill to amend the sixteenth section of an act regulating the fees of officers, and repealing former acts in relation thereto.

No. 81. A bill regulating the employment of persons under sixteen years of age in the cotton and woolen factories of this State.

No. 191. A bill to amend section six hundred and fifty of article thirty-six of an act to revise, simplify, and abridge the rules, practice,

pleadings, and forms, in civil cases, in the Courts of this State; to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.

No. 193. A bill amending section five of an act declaratory of the law regulating marriages, and enforcing the provisions thereof by proper penalties, approved March 5, 1852.

No. 219. A bill authorizing the Boards of County Commissioners, in their several counties, to require the Clerk of the Circuit Court to index certain books and dockets, and to provide compensation therefor.

No. 225. A bill to amend section four of an act containing several provisions regarding landlords, tenants, lessors and lessees, approved May 20, 1852.

No. 262. A bill to amend sections two and six of an act entitled "an act to incorporate the Widow's and Orphan's Asylum of Indianapolis."

No. 275. A bill to amend section three of an act entitled "an act to amend sections 78, 79, 94, 95, 104, 142 and 143 of an act entitled an act to provide for the valuation and appraisement of the real and appraisement of the real and personal property, &c., &c."

No. 276. A bill to amend section 124 of an act entitled, "an act to provide for the valuation and assessment of real and personal property, and the collection of taxes, &c., &c."

No. 207. A bill to amend sections 405 and 406 of an act entitled, "an act to revise, simplify and abridge the rules, practice pleadings, and forms in civil cases in the courts of this State, &c., &c,"

And the Senate is respectfully requested to concur in the passage of these bills.

House bill No. 193, contained in the foregoing message, was read a first time, and referred to the Committee on the Judiciary.

House bill 207, contained in the foregoing message, was read a first time and referred to the Committee on the Judiciary.

House, bill No. 81 contained in the foregoing message, was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of this State.

House bill No. 225, contained in the foregoing message, was read a first time, and referred to the Committee on the Judiciary.

House bill No. 262, contained in the foregoing message, was read a first time, and referred to the Committee on Benevolent Institutions.

House bill No. 21, contained in the foregoing message, was read a first time, and referred to the Committee on Fees and Salaries.

House bill No. 191, contained in the foregoing message, was read a first time, and referred to the Committee on the Judiciary.

House bill No. 219, contained in the foregoing message, was read a first time, and referred to the Committee on on the Judiciary.

Senate bill No. 275, contained in the foregoing message, was read a first time, and referred to a Select Committee of three, consisting of Messrs. Sherrod, Wolcott, and Johnson.

House bill No. 276, contained in the foregoing message, was read a first time, and referred to the Select Committee above named.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following Engrossed Joint Resolution thereof, to-wit:

Joint Resolution No. 16. "A Joint Resolution vacating a highway near the Asylum of the Deaf and Dumb, and authorizing the Trustees of said Institution to resume possession of the land over which the same runs."

The House has also passed the following Engrossed bills thereof, to-wit:

Engrossed bill No. 277. A bill to amend section one of an act to amend sections 123 and 136, of an act entitled "an act to provide for the valuation and assessment of the real and personal property and the collection of taxes," &c., &c.

Engrossed bill No. 343. A bill to amend sections 109, 110, 111 and 119, of an act entitled "an act to provide for a general system of Common Schools," &c.

House Joint Resolution No. 16, contained in the foregoing message, was read a first time and referred to the Committee on the Affairs of the City of Indianapolis.

House bill No. 277, contained in the foregoing message, was read a first time :

Mr. Sherrod moved to refer the bill to a select Committee of three with instructions to strike out the 3d Monday in April, and insert the 1st of May.

Mr. Wolcott moved to amend the instructions as follows :

"Direct the committee to inquire whether the proposed change will interfere with the payment of the interest on the State debt."

Which was agreed to.

The motion to refer with instructions was then agreed to.

The President appointed Messrs. Sherrod, Wolcott and Johnson said Select Committee.

House bill No. 343, contained in the foregoing message, was read a first time and referred to the Select Committee above named.

A message from the House, by Mr. Nixon, the Clerk, thereof :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that House bill No. 99 passed both Houses in an imperfect form, and on a request from the House, the Governor, to whom the Enrolled act had been sent, returned the same to the House for correction, and the House has attached an amendment to the original bill and herewith transmits the same to the Senate, and asks that the Senate concur in the action of the House, that another copy may be enrolled for the signature of the proper officers.

The amendment referred to in the foregoing message was concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate the order of business was suspended and Mr. Cravens offered the following resolution :

Resolved, That the Committee on Finance be authorized to insert the usual section in the Specific Appropriation bill as follows :

Section —. That A. E. and W. H. Drapier be allowed for the number of copies of the *Brevier Legislative Reports* furnished every session since 1857, the same price paid per page for the last several volumes.

Which resolution was adopted.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Oyler offered the following resolution :

Resolved, That when the Senate adjourn, it adjourn to meet on Monday next at 2 o'clock P. M.

Which was adopted.

A message from the House by Mr. Nixon the Clerk thereof.

I am directed by the House to inform the Senate, that the House has concurred in the amendments of the Senate to engrossed bills Nos. 8 and 77.

On motion by Mr. Thompson, the Senate adjourned.

MONDAY AFTERNOON, 2 o'clock, }
 March 4, 1867. }

The Senate met.

On motion by Mr. Johnson the reading of the Journal was dispensed with.

RESOLUTIONS.

Mr. Cason offered the following concurrent resolution:

Resolved, the House concurring, That the Librarian be, and he is hereby instructed to procure all the documents printed for the use of the Legislature, and place the same in the care of the door-keeper of each House for distribution among the members thereof.

Which was adopted.

Mr. Reynolds offered the following resolution:

WHEREAS, It is alleged that the Auditor of State, has made a contract in behalf of the State, to pay to Hon. John Pettit a fee of some \$8,000 for collecting a claim of this State against Montgomery county; therefore

Resolved, That the Auditor be directed to inform the Senate of the exact facts in regard to said alleged contract, and by what authority he engaged to pay such fee, and why said Pettit, rather than the Attorney General, was so employed.

Which was adopted.

JOINT RESOLUTIONS.

Mr. Stein introduced

Joint Resolution No. 9. A joint resolution for the relief of John T. Morrison, late Treasurer of State.

Which was read a first time and referred to the Committee on Finance.

ORDERS OF THE DAY.

SENATE BILLS ON THEIR SECOND READING.

Senate bill No. 155. A bill to regulate the salaries of Clerks of the Circuit Court, County Auditors, County Treasurers, County Recorders and Sheriffs, and to provide for the payment of their fees into the Treasury of the State, and providing for their deputies and their salaries and appointments.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 170. A bill to amend section seventy of an act providing for the election an qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 187. A bill to provide for the keeping of a county pauper record, and defining the duties of certain officers in relation thereto.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 195. A bill to cure defective or illegal bonds of Executors and Administrators and their sureties.

Was read a second time.

Mr. Robinson moved to amend the bill as follows: Insert in the proper place in the first section:

“Nor shall any such bond be void because of defects or inequality in the approval or filing thereof, but such bond shall be as obligatory as if properly executed, approved and filed.”

Which amendment was adopted.

The bill was then ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 207. A bill requiring certain officers of this State to make reports, and providing for the publication thereof.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 211. A bill to amend an act entitled an act to amend section 352 of an act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852; approved March 9, 1861.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 220. A bill to amend an act entitled "An act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana; for the election of Township Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State."

Was read a second time.

Mr. Lee moved that the rules be suspended, the bill considered as engrossed, and that it be read a third time now.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Houghton, Hawk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Taggart, Terry, Thompson, Turner, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a third time.

Mr. Oyler took the Chair.

Mr. Cumback moved that the bill be recommitted to the Select Committee heretofore appointed to consider the subject matter of this bill, as embodied in sundry House bills referred to it.

Which was agreed to.

Senate bill No. 225. A bill to amend an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of this act," approved December 21, 1865.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 226. A bill to amend the twenty-eighth section of an act entitled "An act to incorporate the Vevay, Mount Sterling, and Versailles Turnpike Road Company," approved January, 4, 1850.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 229. "A bill concerning the mutual duties of common carriers."

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Reynolds, from the Committee on State Prisons, made the following report :

MR. PRESIDENT :

The State Prison Committee, appointed to visit and inspect the State Prison South, respectfully report that they have given such careful examination of the said Prison, the condition and care of its inmates, &c., as the brief period of time allotted to such examination would permit. The Committee is gratified to be able to say that everything coming under their observation appeared in a well ordered condition, yards and cells were cleanly, food was sufficient in quantity, and of wholesome quality ; the general sanitary condition of the prisoners appeared excellent.

The Committee have no censures to find in respect to the management of the Prison, and but little change to suggest. It appears to your Committee that the comforts of the prisoners would be greatly promoted, and perhaps their health also in some degree benefited by the possession of bed clothing for from ten to twenty extra beds, as there is now nothing extra in this respect; the bedding can be washed only in warm weather, without leaving the prisoners liable to suffer from cold. Ten or twenty extra beds would permit the work of washing to proceed at all seasons of the year. This extra bedding would permit a degree of cleanliness much needed, but now almost impossible to attain.

In respect to the salary of the Chaplain or Moral Instructor, the Committee report that his duties embrace much more than his title indicates; that indeed almost his entire time is devoted to the service of the prisoners in various ways precluding other employment on his part. That in the opinion of this Committee his salary is an insufficient remuneration for his time and labor, and they respectfully recommend an increase of his salary from eight hundred to one thousand dollars a year.

In respect to the question of the aggregate expenditures as against receipts for convict labor, the Committee report that the average price of labor is now greater than at any previous time during the past five years, and that with the reduced cost of supplies the Prison is now nearer being self-supporting than at any previous time within the period named; and the Committee are of the opinion that if no new buildings or fixtures shall be required, by reason of the necessity for greater accommodations or to supply losses occasioned by fire or otherwise, that the deficiency to be applied for the years 1867, and 1868, will not exceed the sum of from \$6,000 to \$10,000.

The committee further report that Abel W. Hall, at present a contractor interested in a large proportion of the convict labor of the Prison South, a man of large experience and success in the employment of convict labor, a man, also, of large pecuniary responsibility, who, with his associates in the employment of convict labor at this Prison, has property in fixtures, materials, and manufactured articles now on the Prison premises, to the value of between \$200,000 and \$300,000, has made through this committee to the General Assembly the proposition to contract for the services of the convicts of this Prison for the term of ten years, he to pay all expenses of feeding, clothing, medical supplies, medical attendance; to pay all salaries of

Guard, Wardens, Chaplain and other officers; in fine, to pay every expense of the Prison and of its maintenance, and to return to the State at the expiration of his term all the shop buildings, fixtures and furniture of the Prison in as good condition as when received by him, ordinary wear and tear by their proper use alone excepted. The Prison to remain under the control of the State Directors, and the subordinate officers as now provided by law. And for the faithful performance of the contract on his part, the said Hall proposes to make a satisfactory bond in the penal sum of \$100,000.

Which report, on motion by Mr. Oyler, was laid on the table.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Wolcott introduced

Senate bill No. 241. A bill to authorize the Directors of the State Prison at Jeffersonville, to contract the convict labor of said Prison, and prescribing the terms and conditions of the contract.

Which was read a first time, and, on motion by Mr. Cullen, referred to the Committee on State Prisons.

By consent of the Senate, the order of business was suspended and the following bills were taken up:

House bill No. 185. A bill to amend the 45th section of an act entitled "an act to provide for the opening, vacating, and change of highways," approved June 7, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church Cravens, Cullen, English, Gifford, Hanna, Howk, Huey, Humphreys, Hyatt, Jaquess, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond Robinson, Stein, Taggart, Terry, Thompson, Turner, Wolcott, and Mr. President—40.

Those who voted in the negative were,

Messrs. Houghton, Johnson, and Sherrod—3

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 189. A bill to relieve Montgomery county, conditionally, from payment to the State of \$38,441.69, for which the late Treasurer of said county was delinquent, and to provide for the settlement of a claim of John Pettit for professional services growing out of an alleged effort to collect said money.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bennett, Bonham, Cason, Cullen, Hanna, Jaquess, Milligan, Newlin, Niles, Oyler, Parrish, Rice, Richmond, Robinson, Stein, and Mr. President—16.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Brown, Church, Cravens, English, Gifford, Hawk, Huey, Humphreys, Hyatt, Johnson, Lee, Lewis, Mason, Noyes, Reagan, Reynolds, Taggart, Terry, Thompson, Turner, and Wolcott—25.

So the bill did not pass.

Senate bill No. 154. A bill to revish and amend the sixth section of an act entitled "an act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter," approved January 27, 1847.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Cason, Church, Cravens,

Hyatt, Jaquess, Johnson, Lewis, Noyes, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, and Thompson—18.

Those who voted in the negative were,

Messrs. Barker, Bowman, Brown, Carson, Cullen, English, Gifford, Hanna, Howk, Huey, Humphreys, Mason, Milligan, Newlin, Oyler, Parrish, Stein, Taggart, Terry, Turner, Wolcott, and Mr. President—22.

So the bill did not pass.

Senate Joint Resolution No. 5. A joint resolution directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of Free Banks, broken and closed, and of such banks as has given notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks.

Was read a third time.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Carson, Church, Cravens, Cullen, English, Gifford, Howk, Huey, Humphreys, Hyatt, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Stein, Terry, Thompson, Turner, Wolcott, and Mr. President—36.

Those who voted in the negative were,

Messrs. Cason, Sherrod, and Taggart—3.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

Mr. Church asked and obtained leave of absence for Mr. Taggart.

Leave of absence was granted Mr. Turner until to-morrow afternoon.

SENATE BILLS ON THIRD READING.

Senate bill No. 91. A bill to provide for rules and by-laws for the government of railroads, and the punishment for the violation thereof.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, Hanna, Howk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Robinson, Rice, Stein, Terry, and Thompson—34.

Those who voted in the negative were,

Messrs. Gifford, Sherrod, and Mr. President—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 73. A bill to regulate and make uniform the prices of freight upon railroads in this State.

Was read a third time.

Mr. Hanna moved to recommit the bill to the Committee on the Judiciary, with instructions to inquire whether by the terms of the general railroad law the freights and tolls of railroads in this State can be regulated by law, and whether certain railroads, by their charters, are not protected against such legislation; and if so, what legislation is necessary to render the tolls and freights of railroads uniform.

Which was not agreed to.

Mr. Cullen moved to postpone the further consideration of the bill until to-morrow at 2 o'clock, P. M., and that it be made the special order for that hour.

Which was agreed to.

Senate bill No. 148. A bill to amend an act entitled an act to incorporate the Grapevine Marsh Plank Road Company, approved February 12, 1851.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Houghton, Hawk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Stein, Taggart, Teiry, Thompson, Wolcott, and Mr. President—41.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Reagan, Chairman of the Committee on Mileage, made the following report :

MR. PRESIDENT :

The Committee on Mileage would beg leave to submit the following :

Governor Conrad Baker, President of the Senate, 180 miles, multiplied by 2—360 miles.

Which report was concurred in.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Milligan introduced

Senate bill No. 242. A bill to amend section five of an act to amend an act entitled an act for incorporating the Wabash Manual Labor College and Teachers' Seminary, approved February 8, 1851.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Armstrong asked and obtained leave of absence for Mr. Ward.

A message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed the following enrolled acts of the House of Representatives, to-wit :

No. 8. An act to amend the ninety-ninth section of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in civil cases, in the Courts of this State ; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

No. 77. An act to increase the salaries of the Prosecuting Attorneys of the Criminal Circuit Court, and providing for the payment of the increase out of the proper county treasuries.

No. 99. An act to empower the Board of County Commissioners of the several counties of this State, to convey cemeteries to cities and incorporated towns.

On motion by Mr. Milligan, the Senate adjourned.

TUESDAY MORNING, 9 o'clock, }
March 5, 1867. }

The Senate met.

On motion by Mr. Gifford, the reading of the Journal was dispensed with.

Mr. English presented a claim from Elijah Hasket & Co., for a new pump, furnished the State of Indiana.

Which was referred to the Committee on Claims.

Mr. Thompson presented a memorial from J. S. Harvey, asking an appropriation for extra services rendered by him while Treasurer of State.

Which was referred to the Committee on Claims.

Mr. Cravens presented the claim of James R. Blake for summoning witnesses before Senatorial Committee on Benevolent Institutions.

Which was referred to the Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Mr. Ward, from the Committee on Roads, made the following report:

MR. PRESIDENT:

The Committee on roads to whom was referred Senate bill No. 77, a bill to amend an act entitled "an act to provide for the election or appointment of Supervisors of Highways and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859, have had the same under consideration, and have directed me to report the same back to the Senate and recommend that it be laid on the table, as further legislation on the subject is unnecessary, in the opinion of the Committee.

Which report was concurred in.

Mr. Parrish, Chairman of the Committee on Military Affairs, made the following report :

MR. PRESIDENT :

The Committee on Military Affairs to whom was referred House bill No. 316, a bill to protect and indemnify officers and soldiers of the United States and officers and soldiers of the Indiana Legion for acts done in the military service of the United States and in the military service of the State of Indiana, and in enforcing the laws and preserving the peace of the country, have had the same under consideration and have ordered me to report the same back to the Senate and recommend its passage.

Which report was concurred in.

The bill contained in the foregoing report, was then read a second time and passed to a third reading on to-morrow.

Mr. Stein, from the Committee on the Organization of Courts, made the following report :

MR. PRESIDENT :

The Committee on the Organization of Courts of Justice, to whom was referred Senate bill No. 237, entitled "an act creating the 19th, 20th and 21st Judicial Circuits, and providing for the election of Judges and Prosecuting Attorneys therein, and providing compensation therefor, declaring their jurisdiction and providing for the transfer of actions thereto," have had the same under consideration and have instructed me to report the same back to the Senate without amendments, with a recommendation that the same do pass.

Which report was concurred in.

The bill contained in the foregoing report, was then read a second time and ordered to be engrossed for a third reading on to-morrow.

Mr. Oyler, Chairman of the Committee on Organization of Courts, made the following report :

MR. PRESIDENT :

The Committee on the Organization of Courts, to whom was re-

ferred Senate bill No. 236, entitled "a bill fixing the time of holding the courts in the 10th Judicial Circuit, changing the length of the terms in some of the counties thereof, and prescribing that in other respects existing regulations shall apply thereto," have had the same under consideration, and have instructed me to report the same back to the Senate without amendment and recommend its passage.

The bill contained in the foregoing report was read a second time and ordered to be engroced for a third reading on to-morrow.

Mr. Cason, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 240—a bill fixing the times of holding the courts in the First Judicial Circuit—have had the same under consideration and instructed me to report as follows:

Strike out all after the enacting clause and insert the following in lieu thereof:

In the county of Ohio, on the second Monday of February and August of each year.

In the county of Ripley on the Mondays succeeding the courts in the county of Ohio.

In the county of Jennings on the Mondays succeeding the courts in the county of Ripley.

In the county of Jefferson on the Mondays succeeding the courts in the county of Jennings.

In the county of Switzerland on Mondays succeeding the courts in the county of Jefferson.

In the county of Bartholomew on the Mondays succeeding the courts in the county of Switzerland.

In the county of Brown on the Tuesdays succeeding the courts in the county of Bartholomew.

Sec. 2. The said courts, if the business shall require it, shall sit in the counties of Ohio, Ripley, Jennings, and Switzerland, two weeks each; in the county of Bartholomew, three weeks; in the county of Jefferson, four weeks; and in the county of Brown, two weeks.

Sec. 3. All writs, process, and proceedings began or pending in

any of the said courts shall be returnable, and shall be acted upon at the terms as fixed by this act.

Sec. 4. All laws and parts of laws in conflict with the provisions of this act are hereby repealed. Whereas an emergency exists for the immediate taking effect of this act, therefore the same shall take effect and be in force from and after its passage, and when so amended, recommend its passage.

Which report was concurred in and the amendment adopted.

Mr. Noyes, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Senate bill No. 166, a bill regulating the filing of petitions or complaints in Commissioner's Courts, have had the same under consideration and have directed me to report the same back to the Senate, and recommend that it be indefinitely postponed.

Which report was concurred in and the bill was indefinitely postponed.

Mr. Cason, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred Senate bill No. 162, entitled a bill to establish a college for such branches of knowledge as are connected with agricultural and the mechanic arts, and to carry out the objects of the acts of Congress in making donations of land for such purposes, have had said bill under consideration, and have directed me to report the same back with the recommendation that it do lie on the table, as the Senate has already taken action on this subject.

Which report was concurred in.

Mr. Cason, from the Joint Committee on the Agricultural College, made the following report :

MR. PRESIDENT :

The Joint Committee on the Agricultural College, to whom was referred the resolutions and memorial of certain citizens of the county of Marion in relation to the Agricultural College, have had the same under consideration and have directed me to report the same to the Senate with the recommendation that they do lie on the table.

Which was concurred in.

Mr. Cason, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred the memorial of the students of Indiana Asbury University in relation to the location of the Agricultural College, together with memorial of the friends of Hanover College in relation to the same subject, have had said memorials under consideration and have directed me to report the same back with the recommendation that they may be laid on the table, the Senate having indefinitely postponed the bill for the location of said College.

Which report was concurred in.

Mr. Milligan, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on Rights and Privileges, to whom was referred Senate bill No. 224, "an act to amend section sixteen of an act entitled an act for the government of the Indiana Hospital for the Insane and the care of the Insane of Indiana, approved January 15, 1852," have had the same under consideration and authorize me to report the same back and recommend its passage.

Which report was concurred in.

Mr. Wolcott, from a select committee, made the following report :

MR. PRESIDENT :

The Special Committee, to whom was referred Senate bill No. 126, entitled "a bill appropriating an amendment to the Constitution of this State, providing for the submission of the same to a vote of the electors of this State at the October election for the year 1867, and

authorizing the Governor to issue his proclamation upon the ratification of said amendment, declaring the same to be adopted and a part of the Constitution," have had the same under consideration, and recommend that said bill be laid on the table and the following offered as a substitute :

Resolved by the Senate, the House concurring, That the Constitution of this State be amended so as to read as follows :

"Incorporated cities, towns and townships, shall have power by taxation, under regulations prescribed by the General Assembly, to raise revenue for the support of Common Schools, in addition to the revenue derived for that purpose from the State."

And that section nine, article four, which reads as follows :

"The sessions of the General Assembly shall be held biennially at the capital of the State, commencing on the Thursday next after the first Monday of January, in the year one thousand eight hundred and fifty-three, and on the same day of every second year thereafter, unless a different day or place shall have been appointed by law. But if, in the opinion of the Governor, the public welfare require it, he may, at any time, by proclamation, call a special session."

Be amended so as to read as follows :

"The sessions of the General Assembly shall be held annually at the capital of the State, commencing on the first Thursday in December after this amendment has been ratified as provided for in the Constitution, and on the same day of each year thereafter, unless a different day or place shall be appointed by law. But if, in the opinion of the Governor, the public welfare require it, he may, at any time, by proclamation, call a special session."

And that section twenty-nine, article four, which reads as follows :

"The members of the General Assembly shall receive for their services a compensation to be fixed by law; but no increase of compensation shall take effect during the session at which such increase may be made. No session of the General Assembly, except the first under this Constitution, shall extend beyond the term of sixty-one days, nor any special session beyond the term of forty days."

Be amended so as to read as follows :

"The members of the General Assembly shall receive for their services a compensation to be fixed by law; but no increase of compensation shall take effect during the session at which such increase may be made."

"No session of the General Assembly shall be limited by law; but the members thereof shall receive no compensation for their services after the first ninety days of the annual session shall have expired; and the first forty days of the special session shall have expired."

Mr. Bennett moved to recommit the resolution contained in the foregoing report to the Select Committee, with instructions to inquire into the expediency of so amending it as to make it a joint resolution, and of providing for its submission to the next General Assembly by the Governor.

Mr. Carson moved that the Select Committee be further instructed to inquire into the expediency of adding the following section to said resolution:

SEC. —. The General Assembly of the State of Indiana shall never incur any debt or liability, or recognize any claim or demand arising out of or connected with the Wabash and Erie Canal, or matters pertaining thereto, except as provided in an act entitled "an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 19, 1846, and an act supplemental thereto, entitled "an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846," approved January 27, 1847, and the said acts shall never be construed so as to in any manner create any moral or legal obligation on the part of said State to incur any liability or obligation on her part other than is expressly provided in said acts, and that the General Assembly of said State are hereby prohibited from ever incurring any liability on account of the said Wabash and Erie Canal, or any matter arising from, or growing out of the same, except as herein provided.

The motion to recommit with the foregoing instructions was then agreed to.

Mr. Cullen moved to reconsider the vote by which Senate bill No. 154, a bill to revise and amend the 6th section of an act entitled "an act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter," approved January 27, 1847, was rejected.

Which was agreed to.

RESOLUTIONS.

Mr. Mason offered the following resolution :

WHEREAS, The Agricultural College should be located at some suitable point in this State at as early a date as possible ;

AND WHEREAS, The County Commissioners of Hancock county, Indiana, have offered the sum of one hundred and twenty-five thousand dollars to purchase a suitable farm and erect appropriate buildings thereon, should the General Assembly of the State of Indiana deem proper to locate the Agricultural College at the town of Greenfield, in Hancock county, Indiana, or within the vicinity thereof; therefore,

Be it resolved, That this proposition be referred to the Committee on Agriculture, and that said committee be requested to report to this Senate, by bill or otherwise, the propriety of locating said College at said town of Greenfield at this term of the General Assembly.

Which was adopted.

Mr. Richmond offered the following resolution :

Resolved, That each member of the Committee on State Prisons be allowed \$3.00 for every twenty-five miles traveled in visiting the Southern and Northern Prisons of this State, and that the Auditor draw his warrant upon the Treasurer of State for said several amounts upon the certificate of the President of the Senate that said services were rendered.

Which was adopted.

BILLS INTRODUCED.

Mr. Richmond introduced

Senate bill No. 243. A bill to Authorize the Governor, Auditor, Treasurer, and Secretary of State to contract the labor of the State Prisons of Indiana, and prescribing terms and conditions in reference thereto.

Which was read a first time, and referred to the Committee on State Prisons.

SPECIAL ORDER.

The hour having arrived for the consideration of the following resolution offered by Mr. Oyler, it was taken up.

Resolved, That the Representatives and Senators in Congress from the State of Indiana be requested to use their influence and vote against the confirmation of all persons appointed, or who may be appointed hereafter, by the President of the United States, unless they are known to be true and tried Republicans.

Mr. Mason moved to lay the resolution on the table.

The ayes and noes were demanded by Messrs. Oyler and Mason.

Those who voted in the affirmative were,

Messrs. Bowman, Carson, English, Gifford, Hanna, Howk, Huffman, Humphreys, Lee, Mason, Newlin, Sherrod, and Turner—13.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Cason, Church, Cravens, Cullen, Hyatt, Jaquess, Johnson, Lewis, Milligan, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—25.

So the resolution was not laid on the table.

The question recurring on the adoption of the resolution.

It was agreed to.

A message from the House by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed the following Enrolled act of the House of Representatives, to-wit:

No. 185. An act to amend the forty-fifth section of an act entitled "An act to provide for the opening, vacating, and change of highways," approved June 17, 1852.

By unanimous consent of the Senate, the order of business was suspended, and

Senate bills on their third reading were taken up.

SENATE BILLS ON THIRD READING.

Senate bill No. 233. "A bill to appropriate certain sums of money to the Anteitam National Cemetery and the Soldiers' National Cemetery at Gettysburg."

Was read a third time.

Mr. Carson moved to recommit the bill to the Committee on Military Affairs, with the following instructions :

Amend by inserting \$6,000, to erect a monument to the memory of General Anthony Wayne at Fort Wayne.

Mr. Turner moved to further instruct by adding an appropriation for a monument to Joe Davis.

Mr. Bennett moved to lay the motion to recommit with instructions on the table.

The ayes and noes were demanded by Messrs. Carson and Bennett.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Carson, Church, Cravens, Cullen, Hyatt, Jaquess, Johnson, Lewis, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Bowman, Carson, English, Gifford, Hanna, Hawk, Huffman, Humphreys, Lee, Newlin, Smith, and Turner—12.

So the motion to recommit was laid on the table.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Howk, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—39.

Mr. Sherrod voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 149. A bill to amend the second section of "An act for the incorporation of manufacturing and mining companies and companies for mechanical, chemical, and building purposes," approved May 20, 1852, by providing that any companies which may have been or shall be incorporated in this State for any of the purposes contemplated in said act with a limitation of the amount or location of its real estate may take, hold, and convey any amount of real estate which may be necessary to carry on the operation of such company, whether such real estate be situate in this State or elsewhere.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cravens, Cullen, Howk, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Oyler, Reagan, Reynolds, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Bowman, Gifford, Huffman, Humphreys, Parrish, Sherrod, and Smith—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 155. A bill to regulate the salaries of Clerks of the Circuit Courts, County Auditors, County Treasurers, County Records, and Sheriffs; to provide for the payment of fees into the country treasuries of the State, and providing for their deputies, and their salaries and appointment.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Church, Jaquess, Lewis, Reynolds, and Richmond—6.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Robinson, Sherrod, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—36.

So the bill did not pass.

Senate bill No. 154. A bill to revise and amend the sixth section of an act entitled "an act granting to the citizens of the town of Evansville, in the county of Vanderburg, a city charter," approved January 27, 1847.

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cravens, Cullen, Houghton, Hyatt, Jaquess, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Ward, and Wolcott—27.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Howk,

Huey, Huffman, Humphreys, Lee, Mason, Newlin, Sherrod, Smith, and Turner—16.

So the bill passed.

Ordered, That he Secretary inform the House thereof.

Senate bill No. 159. A bill providing for the appointment of a night watchman for the State House, and to fix the salary of the same, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrông, Bellamy, Bennett, Brown, Cason, Church, Cravens, Cullen, Houghton, Howk, Hyatt, Jaquess, Johnson, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Ward, and Wolcott—30.

Those who voted in the negative were,

Messrs. Barker, Bowman, Carson, English, Gifford, Hanna, Huey, Huffman, Humphreys, Lee, Mason, Sherrod, and Smith—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 169. A bill to provide for official visitations and inspections of the Prisons and Benevolent Institutions of the State.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Cravens, Cullen, English, Gifford, Houghton, Howk, Huey, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Niles, Noyes,

Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—35.

Those who voted in the negative were,

Messrs. Barker, Hanna, Huffman, Humphreys, Newlin, and Smith—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 168. A bill to provide for prosecutions of bastardy in certain cases.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Cason, Cravens, Jaquess, Lewis, Milligan, Noyes, Reagan, Rice, Richmond, and Thompson—12.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Bowman, Brown, Carson, Cullen, English, Gifford, Hanna, Houghton, Hawk, Huey, Huffman, Humphreys, Hyatt, Johnson, Mason, Newlin, Niles, Oyler, Parrish, Reynolds, Robinson, Smith, Stein, Terry, Ward, Wolcott, and Mr. President—29.

So the bill did not pass.

Senate bill No. 170. A bill to amend section seventy of an act entitled "an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers, and duties, in civil cases," approved June 9, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barker, Bellamy, Bennett, Cravens, Cullen, Gifford,

Hanna, Howk, Huffman, Humphries, Lewis, Mason, Reagan, Rice, Richmond, Smith, Stein, Terry, Thompson, and Ward—20.

Those who voted in the negative were,

Messrs. Armstrong, Bowman, Cason, Carson, English, Huey, Hyatt, Jaquess, Johnson, Milligan, Niles, Oyler, Parrish, Reynolds, Robinson, Sherrod, and Wolcott—17.

So the bill did not pass for want of a constitutional majority.

Senate bill No. 171. A bill fixing the duration of the terms of the Circuit Court in the county of Warren, and repealing all laws in conflict with its provisions.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Thompson, Ward, Wolcott, and Mr. President—39.

Mr. Sherrod voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 176. A bill requiring railroad companies to erect signs or public notices at all highway crossings, and providing penalties for neglect thereof.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Cason, Church, Cravens, Hanna, Houghton, Hyatt, Jaquess, Johnson, Lewis, Mason,

Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Ward, and Wolcott—27.

Those who voted in the negative were,

Messrs. Bennett, Brown, English, Gifford, Howk, Huey, Huffman, Humphreys, Sherrod, Smith, Terry, and Mr. President—12.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 177. A bill to amend section eight of an act entitled an act to amend the act entitled an act authorizing the construction of plank, macadamized and gravel roads, and to empower the same to make sale of a portion of their roads.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bowman, Gifford, Jaquess, Reynolds, Richmond, Thompson, and Mr. President—8.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bennett, Brown, Cason, Carson, Cravens, English, Hanna, Howk, Huey, Huffman, Humphreys, Hyatt, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Robinson, Smith, Stein, Terry, Ward, and Wolcott—29.

So the bill did not pass.

Senate bill No. 178. A bill to regulate the assessment and collection of taxes on the capital stock owned in banks and banking associations doing business in the State of Indiana.

Was read a third time.

The question then being, shall the bill pass?

Mr. Armstrong moved that the Senate do now adjourn.

The ayes and noes were demanded by five Senators.

Those who voted in the affirmative were,

Messrs. Armstrong, Brown, Cullen, English, Houghton, Hyatt, Johnson, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Sherrod, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—21.

Those who voted in the negative were,

Messrs. Barker, Bellamy, Bennett, Bowman, Cason, Carson, Church, Cravens, Gifford, Hanna, Hawk, Huey, Humphreys, Jaquess, Lee, Lewis, Milligan, Newlin, Niles, Robinson, and Smith—21.

So the motion to adjourn did not prevail.

The question recurring on the passage of the bill.

Mr. Wolcott moved to lay the bill, temporarily, on the table.

The ayes and noes were demanded by Messrs. Hanna and Newlin.

Those who voted in the affirmative were,

Messrs. Bellamay, Cravens, English, Houghton, Hyatt, Jaquess, Milligan, Oyler, Parrish, Reagan, Stein, Ward, Wolcott, and Mr. President—14.

Those who voted in the negative were,

Messrs. Armstrong Barker, Bennett, Bowman, Brown, Cason, Carson, Church, Cullen, Gifford, Hanna, Hawk, Huey, Huffman, Humphreys, Johnson, Lee, Newlin, Niles, Noyes, Reynolds, Richmond, Robinson, Sherrod, Smith, Terry, and Thompson—27.

So the motion did not prevail.

Mr. Niles moved that the Senate do now adjourn.

The ayes and noes were demanded by five Senators.

Those who voted in the affirmative were,

Messrs. Cravens, English, Houghton, Hyatt, Niles, Parrish, Richmond, Sherrod, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—14.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cullen, Gifford, Hanna, Howk, Huey, Humphreys, Johnson, Lee, Lewis, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Robinson, and Smith—26.

So the motion to adjourn did not prevail.

On motion by Mr. Hanna, the Senate resolved itself into the Committee of the Whole Senate.

Mr. Cullen in the chair, with the foregoing bill under consideration.

After some time spent in the consideration of the bill, the Committee rose and through its Chairman, made the following report:

MR. PRESIDENT:

The Committee of the Whole Senate, to whom was referred Senate bill No. 178, have had the same under consideration and direct me to report it back to the Senate without amendment, and recommend its passage.

Pending the question, on concurring in the report of the Committee of the Whole Senate.

On motion by Mr. Cullen, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

The Senate resumed the consideration of the question pending at adjournment, it being on concurring in the report of the Committee of the Whole Senate on Senate bill No. 178.

On motion by Mr. Oyler, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Barker, Bellamy, Bennett, Cason, Carson, Church, Cravens, Cullen, English, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reynolds, Rice, Richmond, Smith, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—36.

On motion by Mr. Oyler, the further call of the Senate was dispensed with.

The question recurring on concurring in the report of the Committee of the Whole Senate.

It was agreed to.

Mr. Parrish asked and obtained leave of absence for Mr. Bonham.

Mr. Houghton asked and obtained leave of absence for Mr. Terry.

Mr. Stein asked and obtained leave of absence for Mr. Jaquess.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Cason, Carson, Church, Cravens, Cullen, English, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Mason, Niles, Newlin, Noyes, Oyler, Parrish, Robinson, Reagan, Reynolds, Rice, Richmond, Smith, Stein, Thompson, Turner, and Wolcott—36.

Mr. Ward voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 180. "A bill to amend the twenty-third section of an act for the government of the Indiana Hospital for the Insane, and the care of the insane of Indiana."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Brown, Cason, Carson, Church Cravens, Cullen, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Mason, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 183. "A bill to legalize railroad consolidations, and declaring the law of such consolidations."

Was read a third time.

Mr. Cason moved to recommit the bill to the Committee on Corporations with instructions to amend the same by striking out of the bill all that part relating to consolidations heretofore made, and make the bill only apply to future consolidations.

Mr. Bennett moved the previous question, which was seconded by the Senate.

The question being, shall the main question be now put?

It was agreed to.

The question then being on the motion to recommit with instructions.

It was agreed to.

Senate bill No. 185. "A bill to authorize Judges of Circuit Courts and Courts of Common Pleas to appoint receivers in vacation, and to make all orders in relation thereto; to authorize such Judges to modify and dissolve injunctions, and to allow appeals therefrom the same as if made by the Court in session; and to provide that an appeal from an injunction order, shall not operate as a suspension."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Cason, Carson, Church, Cravens, Cullen, Hanna, Houghton, Howk, Hyatt, Johnson, Lee, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—29.

Those who voted in the negative were,

Messrs. Barker, Bennett, English, Gifford, Huey, Huffman, Humphreys, Mason, Sherrod, and Smith—10.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 186. "A bill supplemental to an act providing for the settlement of decedents' estates, prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement."

Was read a third time.

The question being, shall the bill pass.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Carson, Church, Cullen, Howk, Hyatt, Johnson, Lewis, Mason, Milligan, Newlin, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—26.

Those who voted in the negative were,

Messrs. Barker, Cravens, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Lee, Sherrod, Smith, and Turner—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 187. "A bill to provide for the keeping of a county pauper record, and defining the duties of certain officers in relation thereto."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Hawk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—41.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 190. "A bill providing the amount of fees to be allowed County Treasurers for the collection of delinquent taxes, and declaring an emergency."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Cason, Church, Cravens, Cullen, English, Hanna, Houghton, Johnson, Lewis, Mason, Newlin, Noyes, Parrish, Reagan, Reynolds, Rice, Richmond, Smith, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Bellamy, Brown, Carson, Gifford, Hawk, Huey, Huffman, Humphreys, Hyatt, Lee, Milligan, Oyler, Robinson, and Sherrod—14.

So the bill passed.

Ordered, That the Secretary inform the House thereof.
S. J. -49.

Senate bill No. 192. A bill to amend section eleven of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Brown, Cason, Church, Cravens, Cullen, Houghton, Johnson, Lewis, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Stein, Thompson, and Wolcott—19.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bennett, Carson, English, Gifford, Hanna, Hawk, Huey, Huffman, Humphreys, Hyatt, Lee, Mason, Newlin, Noyes, Rice, Sherrod, Turner, and Mr. President—20.

So the bill did not pass.

Senate bill No. 195. "A bill to cure defective or illegal bonds of executors and administrators and their sureties."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Hawk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Sherrod, Smith, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—40.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended and the following message from the House was taken up

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed Senate bill No. 227, "a bill to consolidate certain bonds, stocks and accounts of the School Fund, into one non-negotiable bond, and making other provisions in relation thereto" and have attached thereto accompanying engrossed amendments :

Engrossed amendments of the House of Representatives to Senate bill No. 227.

Amend by striking out the following words to the preamble, commencing with the word "and" in the 8th line, to-wit: "And whereas, on the 30th day of September, 1859, the said State was indebted for money borrowed by its officers, of the Sinking Fund, to pay upon the State debt," and insert in lieu thereof the following: "And whereas, in conformity with an act of the General Assembly, approved December 23, 1858, entitled "an act to secure to the Sinking Fund a debt which the State owes said Fund, and to provide for the payment of interest on said debt, a non-negotiable bond was issued to said Sinking Fund for."

Amend by inserting after the word "act" in line 22 of section one, the following words, to-wit: "of December 20th, 1865," *provided*, that said non-negotiable bond shall be executed before the adjournment of the present session of the General Assembly, said other bonds and stocks shall be destroyed in the presence of the Committee of Ways and Means of the House of Representatives, and the Committee on Finance in the Senate, otherwise in the presence of the Chairman of each of said Committees, after the adjournment of the present session of the General Assembly.

On motion by Mr. Wolcott, the engrossed amendments of the House, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 198. A bill to amend sections 25 and 88 of an act entitled "an act dividing the State into counties, defining their boundaries and defining the jurisdiction of such as border on the Ohio and Wabash rivers, approved June 7th, 1852, and to provide for juris-

diction and for collection of certain taxes in the territory aforesaid, and providing for submitting the question of readjusting the boundary lines between the counties of Warren and Fountain, to the legal voters of those counties."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Brown, Church, Cullen, English, Gifford, Hanna, Houghton, Hawk, Huffman, Johnson, Lee, Mason, Newlin, Niles, Oyler, Parrish, Reagan, Rice, Richmond, Thompson, Turner and Ward—26.

Those who voted in the negative were,

Messrs. Cravens, Huey, Hyatt, Lewis, Milligan, Noyes, Reynolds, Robinson, Stein, Wolcott, and Mr. President—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 200, "a bill approving the action of Thomas B. McCarty, Auditor of State, in settling and saving to the State of Indiana, \$2,262.08, occasioned by the defalcation of the Treasurer of Pulaski county on account of the Swamp Land Fund, and authorizing him to dispose of certain lands acquired thereby, for the benefit of the State."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Church, English, Gifford, Hanna, Houghton, Hawk, Huey, Huffman, Humphreys, Johnson, Newlin, Oyler, Parrish, Reagan, Richmond, Robinson, Stein, Ward, Wolcott, and Mr. President—24.

Those who voted in the negative were,

Messrs. Cullen, Hyatt, Lewis, Mason, Milligan, Niles, Noyes, Reynolds, Rice, Smith, and Thompson—11.

So the bill did not pass, for want of a constitutional majority.

Senate bill No. 207, "a bill requiring certain officers of the State to make reports, and providing for the publication thereof."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Cason, Carson, Church, Cullen, Gifford, Houghton, Howk, Huey, Hyatt, Johnson, Lewis, Milligan, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—29.

Those who voted in the negative were,

Messrs. Cravens, English, Hanna, Huffman, Humphreys, Mason, Newlin, Niles, Noyes, Sherrod, and Smith—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 210, "a bill to amend the second section of an act entitled an act supplemental to an act to regulate and license the sale of spiritous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof, approved March 5, 1859, providing for appeals in the case of persons applying for license to sell intoxicating liquors, and for those remonstrating against such applications under the provisions thereof, and to make a trial by jury in suits in relation thereof final, and authorizing appeals to the Supreme Court.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Carson, Cravens, English, Gifford, Hanna, Houghton, Howk, Hyatt, Milligan, Niles, Oyler, Parrish, Richmond, Robinson, Stein, Thompson, and Mr. President—21.

Those who voted in the negative were,

Messrs. Barker, Church, Cullen, Huey, Huffman, Humphreys, Johnson, Lewis, Mason, Newlin, Noyes, Reagan, Reynolds, Rice, Sherrod, Smith, Turner, and Wolcott—17.

So the bill did not pass, for want of a constitutional majority.

Senate bill No. 211, "a bill to amend an act entitled an act to amend section three hundred and fifty-two of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, approved March 9, 1861.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Lewis, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Thompson, Ward, Wolcott, and Mr. President—36.

Those who voted in the negative were,

Messrs. Barker, and Sherrod—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 215, "a bill for an act to prevent the spread of the disease commonly called 'hog cholera,' and other diseases among domestic animals."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bowman, Brown,

Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—36.

Mr. Jonson voted in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 216. A bill to encourage the re-publication of Blackford's Reports, and appropriating money to pay for the same.

Which was read a third time.

Mr. Johnson moved that the bill be indefinitely postponed.

The ayes and noes were demanded by Messrs. Bennett and Cullen.

Those who voted in the affirmative,

Messrs. Armstrong, Barker, Bellamy, Carson, English, Gifford, Hanna, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Newlin, Noyes, Sherrod, Stein, Thompson, Turner, Ward, and Wolcott—21.

Those who voted in the negative were,

Messrs. Bennett, Brown, Cason, Church, Cravens, Cullen, Howk, Lewis, Mason, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, and Mr. President—20.

So the bill was indefinitely postponed.

Senate bill No. 217. A bill to regulate the practice of dentistry in the State of Indiana.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Cason, Cravens, Cullen, Hanna, Newlin, Niles, Parrish, Richard, Robinson, Stein, Turner, Wolcott, and Mr. President—13.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bennett, Brown, Carson, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lewis, Milligan, Noyes, Oyler, Reagan, Reynolds, Rice, Sherrod Smith, Thompson, and Ward—25.

So the bill did not pass.

Mr. Oyler moved to suspend the order of business, for the purpose of enabling him to offer a resolution.

Which was agreed to.

Mr. Oyler offered the following resolution :

Resolved, That Major General T. J. Wood, the first mustering officer in Indiana of the late war for the suppression of the rebellion, and a faithful and able officer during that rebellion, be invited to a seat upon the floor of the Senate.

Which was adopted.

The President appointed Messrs. Oyler, Bennett, and Richmond a committee to wait upon General Thomas J. Wood, and invite him to accept a seat on the floor of the Senate.

General Wood was then introduced to the Senate.

Senate bill No. 225. A bill to amend an act entitled an act regulating foreign insurance companies doing business in this State ; prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of this act, approved December 21, 1865.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Cravens, Houghton, Lewis, Milligan, Oyler, Reagan, and Reynolds—7.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bennett, Brown, Carson, Cullen, English, Gifford, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Mason, Niles, Noyes, Parrish, Richmond, Robinson, Sherrod, Smith, Stein, Turner, Wolcott, and Mr. President—27.

So the bill did not pass.

Senate bill No. 226. A bill to amend the twenty-eighth section of an act entitled "an act to incorporate the Vevay, Mount Sterling, and Versailles Turnpike Road Company," approved January 4, 1850.

Was read a third time, and,

On motion by Mr. Bellamy, laid on the table.

By unanimous consent of the Senate, the order of business was suspended, and the following bills introduced :

By Mr. Armstrong,

Senate bill No. 244. A bill creating the Twenty-Third Common Pleas District, and making provisions therefor, and repealing all conflicting laws.

Which was read a first time, and

On motion by Mr. Armstrong, was referred to a Select Committ.

The President appointed Messrs. Armstrong, Brown, Richmond, Eason, and Thompson said Select Committee.

By Mr. Bellamy,

Senate bill No. 245. A bill to repeal section 131 of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named, and for the establishment of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.

Which was read a first time.

Mr. Wolcott moved to suspend the rules, consider the bill as engrossed, and that it be read a second and third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Carson, Church Cravens, Cullen, English, Gifford, Houghton, Howk, Huey, Humphreys, Hyatt, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Thompson, Turner, Wolcott, and Mr. President—36.

Mr. Sherrod voting in the negative.

So the rules were suspended, and the bill read a second and third times.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Howk, Houghton, Huey, Humphreys, Hyatt, Johnson, Lee, Lewis, Mason, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Turner offered the following resolution:

Resolved, That the State Librarian be instructed to procure for the President of the Senate, for each Senator, and for each of the elective officers of the Senate, fifteen copies of the Auditors enumeration chart of the State; five of which to be colored, so as to exhibit the Congressional Apportionment passed at this session—five so as to show the Senatorial Apportionment, and five so as to show the Representative Apportionment.

The question being on the adoption of the resolution.

The ayes and noes were demanded by Messrs. Noyes and Cullen.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Cason, Carson, Church, Cravens, English, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Lewis, Mason, Oyler, Parrish, Reagan, Rice, Richmond, Robinson, Smith, Stein, Turner, Ward, Wolcott, and Mr. President—30.

Those who voted in the negative were,

Messrs. Brown, Cullen, Gifford, Houghton, Milligan, Noyes, Reynolds, and Sherrod—8.

So the resolution was adopted.

Senate Joint Resolution No. 2, "a Joint Resolution in relation to a Ship Canal connecting Lake Erie and Lake Ontario."

Was read a third time.

The question being, shall the Joint Resolution pass.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Brown, Cason, Carson, Church, English, Gifford, Howk, Huey, Huffman, Humphreys, Hyatt, Lewis, Mason, Milligan, Noyes, Oyler, Reynolds, Reagan, Rice, Richmond, Robinson, Sherrod, Stein, Thompson, Ward, and Wolcott—30.

Those who voted in the negative were,

Messrs. Cullen, Houghton, Johnson, Lee, Parrish, Smith, Turner, and Mr. President—8.

So the Joint Resolution passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Bennett, the Senate proceeded to the consideration of

SENATE BILLS ON SECOND READING.

Senate bill No. 240. "A bill fixing the time of holding the Cir-

cuit Courts in the 1st Judicial Circuit, and repealing all laws in conflict therewith, and making all writs, summons and process, returnable thereto."

Was read a second time and ordered to be engrossed for a third reading on to-morrow."

Senate bill No. 224. A bill to amend section sixteen of an act entitled "an act for the government of the Indiana Hospital for the Insane, and the care of the Insane of Indiana," approved January 15th, 1852.

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 242. A bill to amend section five of an act to amend an act entitled "an act for incorporating the Wabash Manual Labor College and Teachers Seminary," approved February 8, 1851."

Was read a second time and ordered to be engrossed for a third reading on to-morrow.

By unanimous consent of the Senate, Mr. Houghton, Chairman of the Committee on Public Buildings, made the following report:

MR. PRESIDENT:

The Committee on Public Buildings, to whom was referred House bill No. 286, "a bill providing for the erection of a suitable building for the use of the Supreme Court and State officers, for borrowing money from the Sinking Fund therefor, and securing the repayment of the same, making certain regulations touching the law library, and authorizing the Judges of the Supreme Court to rent rooms for their accommodation until such building is completed," together with a proposition of Geo. W. Miller, have had the same under consideration and have directed me to submit the following report:

Strike out in section two, the words "together with the Judges of the Supreme Court," and when struck out, they recommend the passage of the bill.

Which report was concurred in, and the amendment adopted.

The bill contained in the foregoing report, was read a second time.

Mr. Cason moved to amend the bill as follows:

Amend section 3 by striking out of the 6th line of said section the word "the" and insert in said line before the word "bond" "a non-negotiable."

Which was agreed to.

The bill was then passed to its third reading on to-morrow.

By unanimous consent of the Senate, the order of business was suspended.

Mr. Hanna from the Committee on Corporations made the following report :

MR. PRESIDENT :

The Committee on Corporations to whom was referred House bill No. 15, a bill to carry out the provisions of an act entitled "an act to create a State Normal School and declaring an emergency, approved December 20, 1865, and to appropriate funds necessary for the erection of the State Normal School, and providing from what fund the same shall be taken and appropriated," have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage.

Which report was concurred in.

The bill contained in the foregoing report, was read a second time.

Mr. Hanna moved to postpone the further consideration of the bill until to-morrow, at 3 o'clock P. M., and that it be made the special order for that hour.

Which was agreed to.

Mr. Armstrong asked and obtained leave of absence for Mr. Ward until Thursday at 2 o'clock P. M.

On motion by Mr. Cullen, the Senate adjourned.

WEDNESDAY MORNING, 9 o'clock, }
 March 6, 1867. }

The Senate met.

On motion by Mr. Gifford, the reading of the Journal was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Cason presented a petition from the county officers and members of the bar of Boone county, asking the enactment of a law making a Common Pleas Court District of the counties of Boone and Clinton.

Which was ordered to be placed on file.

REPORTS OF STANDING COMMITTEES.

Mr. Reagan, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred House Joint Resolution No. 10—a joint resolution for the relief of David L. Stephenson—have had the same under consideration, and have directed me to report the same back with a recommend that it pass.

Which report was concurred in.

Mr. Mason, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report:

MR. PRESIDENT:

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred House bill No. 87—a bill regulating the employment of persons under sixteen years of age in the cotton and woolen factories in this State—have had the same under consid-

eration, and beg leave to return said bill to the Senate and recommend that the same do pass.

Which report was concurred in.

House bill No. 81, contained in the foregoing report, was read a second time and passed to a third reading on to-morrow.

Mr. Mason, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report:

MR. PRESIDENT:

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 221—a bill to provide for the registration of births, marriages, and deaths—have had the same under consideration, and instruct me to report the same back to the Senate and recommend that the same be infinitely postponed.

Which report was, on motion by Mr. Oyler, laid on the table.

Mr. Huey, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report:

MR. PRESIDENT:

The Committee, to whom was referred Senate Bill No. 232—a bill regulating the running at large of swine within this State, and affixing penalties for violating the same and declaring an emergency—have had the same under consideration, and direct me to report the same back and recommend its indefinite postponement.

Which report was concurred in.

Mr. Wolcott, Chairman of a Select Committee, made the following report:

MR. PRESIDENT:

The Committee, to whom was referred Senate bill No. 220—a bill to amend an act entitled an act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana; for the election of Township Assessors,

Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State—respectfully report that they have considered the same, and that they recommend the passage of the bill.

Which was concurred in.

Mr. Wolcott, Chairman of a Select Committee, made the following report :

MR. PRERIDENT :

The Special Committee, to whom was referred House bill No. 275—a bill to amend section three of an act entitled an act to amend sections 78, 79, 94, 95, 104, 142 and 143 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of assessors, appraisers of real property, County Auditors and Treasurers, and of the Treasurer and Auditor of State, approved June 21, 1852; and to repeal an act entitled an act to amend section 143 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of assessors and appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State, approved June 21, 1852; approved May 31, 1861—respectfully report that they have considered the same, and they recommend that the bill do lie on the table.

Which report was concurred in.

Mr. Wolcott, from the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee, to whom was referred House bill No. 21, a bill to amend the sixteenth section of an act regulating the fees of officers and repealing former acts in relation thereto, have had the same under consideration, and recommend that it be laid on the table.

Which report was concurred in.

Mr. Wolcott, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee, to whom was referred Senate joint resolution No. 7, a joint resolution for the relief of John I. Morrison, late Treasurer of State, respectfully report that they have considered, approve, and recommend the passage of the same.

Which report was concurred in.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT : -

The Committee on Corporations, to whom was referred House bill No. 223, a bill regulating charges for transportation of freight by the various railroad corporations doing business in the State of Indiana, direct me to report it back and recommend that its consideration be made the subject of special order in connection with a similar Senate bill.

Which report was concurred in.

Mr. Lewis, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred House bill No. 133, a bill to amend the 38th section of an act entitled "an act providing for the election and qualifications of Justices of the Peace," have had the same under consideration, and instructed me to report the same back with the recommendation that it be referred to the Committee on the Judiciary.

Which report was concurred in.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred House bill

No. 211, a bill authorizing hydraulic companies to appropriate lands to their use upon paying the assessed value thereof, and providing for such assessment, directs me to report it back to the Senate and recommend its passage.

Which report was concurred in.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred House bill No. 262, a bill to amend sections two and six of an act entitled "an act to incorporate the Widows and Orphans' Asylum of Indianapolis," direct me to report it back to the Senate with a recommendation for its favorable consideration.

Which report was concurred in.

House bill No. 262, contained in the foregoing report, was read a second time, and passed to a third reading on to-morrow.

Mr. Stein, Chairman of the Joint Committee, made the following report :

MR. PRESIDENT :

The Joint Committee, appointed under the concurrent resolution of the Senate and House of Representatives, to inquire into the expediency of ratifying the appointment of John A. Wilstach as Commissioner for the encouragement of emigration to the State of Indiana, made on the 18th day of January, 1866, by Acting Governor (now Governor) Baker, and providing an appropriation for the payment of expenses incident to the duties of said appointment, have had the subject matter of said resolution under consideration, and have instructed me to report that on the 18th of January, 1866, the present Governor (then Acting Governor) of this State, pursuant to the suggestions and recommendation of divers citizens of Indiana, issued a written appointment to John A. Wilstach, of the City of Lafayette, reading as follows :

STATE OF INDIANA, EXECUTIVE DEPARTMENT, }
 INDIANAPOLIS, January 18, 1866. }

[STATE SEAL.]

Whereas, John A. Wilstach, Esq., of the City of Lafayette, in the State of Indiana, contemplates visiting the continent of Europe, and it being desirable that the inducements held out to emigrants from the Old World to select Indiana as their future home, should, so far as practicable, be made known in Europe, therefore, the said John A. Wilstach, Esq., is requested, authorized and empowered to act as a Commissioner for the encouragement of emigration to the State of Indiana, and to take such steps, both in the United States and in Europe, as he may deem advisable for that purpose.

In witness whereof, I have hereto subscribed my name the day and date above given.

CONRAD BAKER, *Lieut. Governor,*
Acting as Governor of Indiana.

In transmitting said appointment to Mr. Wilstach, the Governor, by letter, informed him that it must be regarded in the light of a volunteer appointment, having no statutory basis, and that he must look to future legislation both for a recognition of the appointment and such allowance as might be thought proper in the premises.

The appointment was made more especially in view of the Universal Exposition, which will be held during this Spring, at Paris, and for the purpose of enlisting the activities of an intelligent and competent agent towards procuring a proper presentation of the industrial interests of Indiana at the Exposition. Your committee are of opinion that both the purpose and the person justified the appointment.

The Federal Government and many of the sister States had then, and have since, provided by legislation for a proper representation at the great Fair; and it is obvious that a judicious presentment of the contributions and resources, etc., of this State must be attended with much ultimate advantage in bringing into honorable relief the products of invention and mechanical skill which our citizens may contribute, and also inducing intelligent emigration into our midst. Since his appointment, Mr. Wilstach has applied himself with much zeal and energy to the duties incident to his mission, and he is now in France attending to the same.

Your committee therefore recommend the ratification of his said

appointment, and that an appropriation of \$5,000 be inserted into the specific appropriation bill as an allowance to him in full for salary, and all expenses connected with his said appointment from first to last; and they accordingly recommend the passage of the following resolution:

Resolved, That the Chairman of the Committee on Finance be directed to insert into the Specific Appropriation Bill an appropriation of \$5,000 in favor of John A. Wilstach, in full for salary and all expenses connected with his appointment as Commissioner for the encouragement of Emigration.

Mr. Niles moved to postpone the further consideration of the report until 3 o'clock P. M. to-day, and that it be made the special order for that hour.

Which was agreed to.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 45, "a bill to provide for the erection and maintenance of Houses of Refuge, or Schools of Reform, by counties and incorporated cities, and for the confinement and detention therein of prostitutes and females given to habitual intoxication, and also of minors convicted of felonies and misdemeanors, have had the same under consideration and now report it back to the Senate, recommending that it lie on the table, as the objects sought to be obtained thereby have been anticipated by other legislation.

Which report was concurred in.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred House Bill No. 225, a bill to amend section four of "an act containing several provisions regarding landlords, tenants, lessors and lessees,"

approved May 20, 1852, have had the same under consideration and now report it back to the Senate, recommending its passage.

Which report was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee to whom was referred Senate Bill No. 132, "a bill relating to witnesses," have had the same under consideration, and now report it back to the Senate, recommending its passage.

Which report was concurred in.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House Bill No. 193, a bill amending section five of "an act declaratory of the law regulating marriages, and enforcing the provisions thereof by proper penalties," approved March 5, 1852, have had the same under consideration, and now report it back to the Senate, recommending its passage.

Which report was concurred in.

Mr. Niles, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill 207, a bill to amend sections 405 and 406 of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, have had the same under consideration, and now report it back to the Senate, recommending its passage.

Which report was concurred in.

Mr. Milligan, from the Committee on Rights and Privileges of the Inhabitants of this State, made the following report:

MR. PRESIDENT:

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred House bill No. 159, a bill to amend section 649 and 650 of the act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, have had the same under consideration, and have instructed me to report the same back and recommend it to lie on the table.

The question being, shall the report of the Committee be concurred in?

It was not agreed to.

Mr. Armstrong, Chairman of a Select Committee, made the following report:

MR. PRESIDENT:

I am directed by the Special Committee, to whom was referred Senate bill No. 244, "An act creating the Twenty-Third Common Pleas District, and making provisions therefor, and repealing all conflicting laws," to report the same back recommending its passage.

Which report was concurred in.

Mr. Cason moved to suspend the rules and read the bill, contained in the foregoing report, a second and third time now.

The ayes and noes were demanded under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cravens, Cullen, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan,

Newlin, Niles, Oyler, Reagan, Reynolds, Robinson, Sherrod, Smith, Stein, Thompson, and Mr. President—34.

Mr. Bowman voting in the negative.

So the rules were suspended, and the bill was read a second and third times.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bennett, Bowman, Brown, Cason, Church, Cravens, Cullen, English, Gifford, Hanna, Howk, Huey, Huffman, Hyatt, Jaquess, Lee, Lewis, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Wolcott, and Mr. President—34.

Those who voted in the negative were,

Messrs. Houghton, Humphreys, Mason, and Sherrod—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Rice, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred House bill No. 191, a bill to amend section 650 of article 36 of "An act to revise, simplify, and abridge the rules, practice, pleading and forms in civil cases in the Courts of this State; to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, have had the same under consideration, and now report it back to the Senate, recommending its passage.

Which report was concurred in.

Mr. Rice, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 219, a bill authorizing the Boards of County Commissioners, in their several counties, to require the Clerk of the Circuit Court to index certain books and dockets, and to provide compensation therefor, have had the same under consideration, and report it back to the Senate with the following amendment :

Section first, fourth line, after the word "authorized" insert "in its discretion." This amendment being adopted, the Committee recommend the passage of the bill.

Which report was concurred in, and the amendment adopted.

Mr. Rice, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 222, a bill to allow persons charged with crimes to testify in any of the Courts of this State, have had the same under consideration, and now report it back to the Senate, recommending that it lie on the table.

Which report was concurred in.

Mr. Rice, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 238, a bill to amend and repeal an act entitled an act to provide for the sale of certain lands belonging to the State of Indiana, in the counties of Jasper and Newton, and to give pre-emption to actual settlers therein, approved December 12, 1865, and for the relief of John P. Dunn, former Auditor of the State, have had the same under consideration, and now report it back to the Senate, recommending that it lie on the table.

Which report was concurred in.

MESSAGES FROM THE HOUSE.

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following joint resolution, thereof, to-wit :

Joint Resolution No. 9. A joint resolution declaring that there is now no law in force authorizing the payment of any money out of the State Treasury for the purpose of defraying the expenses of the Indiana Military Agency for soldiers' claims, at Indianapolis, Indiana, or the State Military Agency acting in connection therewith at Washington City, District of Columbia, or the salaries of clerks, office rent, or other expenses connected with said agency, &c., &c.

House joint resolution No. 9, contained in the foregoing message, was read a first time.

Mr. Bennett moved to amend the joint resolution by substituting the following :

A joint resolution establishing Military Agencies for collecting bounties, back pay, and pensions due to soldiers' widows and orphans :

SECTION 1. *Be it resolved by the General Assembly of the State of Indiana*, That the Governor of the State be, and hereby is authorized to appoint two Military Agents for the State of Indiana, one of whom shall reside in the city of Washington, and one in the city of Indianapolis, whose duty it shall be to prosecute and collect, free of charges, bounties, back pay, and pensions due to soldiers, and soldiers' widows and orphans. Such agents shall continue in office one year from the date of their appointment.

SEC. 2. The sum of five thousand dollars is hereby appropriated to carry into effect the purposes of this resolution for each of the years 1867 and 1868.

Which was agreed to.

Mr. Oyler moved the previous question, which was seconded by the Senate.

The question being, shall the main question be now put?

It was agreed to.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Wolcott, and Mr. President—37.

Mr. Humphreys voted in the negative.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

Mr. Bellamy, Chairman of the Committee on Phraseology and Enrolled Bills, made the following report:

MR. PRESIDENT:

The Committee on Phraseology and Enrolled Bills have examined Enrolled Act No. 237—an act to consolidate certain bonds, stocks and accounts of the school fund into one non-negotiable bond, and making other provisions in relation thereto—and find said act carefully and correctly enrolled.

Which report was concurred in.

A Message from the House by Mr. Nixon, the Clerk, thereof.

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled Senate Act No. 227, and the same is herewith returned.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Sherrod, from a Select Committee, made the following report :

MR. PRESIDENT :

The Select Committee, to whom was referred House bill No. 277—a bill to amend section one of an act to amend sections 123 and 136 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of assessors, appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State, approved June 21, 1852; and to repeal sections 138, 139 and 140 of said act, approved June 3, 1861—have had the same under consideration, and have directed me to report the same back to the Senate, and also its passage with the following enactment :

Strike out the words “third Monday of April,” when it occurs in the third section, and insert the “second Monday of May.”

Which report was concurred in and the amendment adopted.

Mr. Sherrod moved that the rules be suspended, and that the bill contained in the foregoing report be read a second time and third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Cravens, Cullen, English, Gifford, Houghton, Hawk, Huey, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Thompson, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the rules were suspended and the bill read a second and third times.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Thompson, Wolcott, and Mr. President—41.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Milligan, the order of business was suspended, and the Senate proceeded to the consideration of Senate bills on their third reading.

Senate bill No. 242. A bill to amend section five of an act to amend an act entitled an act for the incorporating the Wabash Manual Labor College, and Teacher's Seminary, approved February 8, 1851.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Lee, Lewis, Mason, Milligan, Niles, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Thompson, and Wolcott—35.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 236. "A bill fixing the time of holding the Courts in the 10th Judicial Circuit, changing the length of the terms in some

of the counties thereof, and prescribing that in other respects, existing regulations shall apply thereto."

Was read a third time.

The question being, shall the bill pass? . .

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Jaquess, Lee, Lewis, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Thompson, Wolcott, and Mr. President—39.

Mr. Sherrod voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 220. A bill to amend sections 94 and 96, of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, Appraisors of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State."

Was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Gason, Carson, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Mason, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Thompson, Wolcott, and Mr. President—38.

Those who voted in the negative were,

Messrs. Brown, Church, Lewis and Noyes—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Bennett moved to reconsider the vote just taken by which Senate bill No. 220 was passed.

Which was agreed to.

By unanimous consent of the Senate, on motion by Mr. Niles, the bill was amended by adding thereto a section declaring an emergency for the immediate taking effect of the act.

The question again being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Mason, Milligan, Niles, Oyler, Reagan Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Thompson, Wolcott and Mr. President—38.

Those who voted in the negative were,

Messrs. Brown, Lewis Noyes and Parrish—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 224. A bill to amend section sixteen of an act entitled "an act for the government of the Indiana Hospital for the Insane, and the care of Insane of Indiana," approved January 15th, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Church, Cravens, Houghton, Johnson, Rice, Stein, Thompson, Walcott, and Mr. President—11.

Those who voted in the negative were,

Messrs. Barker, Bennett, Bonham, Bowman, Brown, Cason, Carson, Cullen, English, Gifford, Hanna, Howk, Huey, Huffman, Humph-

reys, Hyatt, Jaquess, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Robinson, Sherrod and Smith—31.

So the bill did not pass.

Senate bill No. 237. A bill creating the 19th, 20th and 21st Judicial Circuits and providing for the election of Judges and Prosecuting Attorneys therein, and providing compensation therfor, declaring the jurisdiction of said Courts, and providing for a transfer of actions thereto.

Was read a third time.

Pending the question on the passage of the bill, Mr. Oyler in the chair.

On motion by Mr. Cumbback, the Senate adjourned.

TWO O'CLOCK P. M.

The Senate met.

PETITIONS, MEMORIALS, AND REMONSTANCES.

Mr. Gifford presented a memorial containing a claim against the State of Indiana in favor of Capt. John Coulter.

Which was referred to the Committee on Claims.

On motion by Mr. Hanna, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names:

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Brown,

Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Robinson, Smith, Stein, Thompson, Wolcott, and Mr. President—39.

On motion by Mr. Bonham, the further call of the Senate was dispensed with.

Pending the call,

Mr. Stein asked and obtained leave of absence for Mr. Turner, until to-morrow morning.

The Senate resumed the consideration of Senate bill No. 237, pending at adjournment.

Mr. Rice moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question now be put?

It was agreed to.

The question then being shall the bill pass.

Those who voted in the affirmative were,

Messrs. Bennett, Bonhom, Bowman, Brown, Carson, English, Hanna, Howk, Huey, Huffman, Jaquess, Lee, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Robinson, Smith, Stein, Thompson, Wolcott, and Mr. President—26.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Gifford, Houghton, Humphreys, Hyatt, Johnson, Lewis, Mason, Niles, Reynolds, and Sherrod—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Rice, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 231, entitled "An act to save pending suits affected by the passage of an act entitled an act to repeal sections 43 and 44 of an act entitled an act prescribing who may make a will, the effect thereof, what may be devised, regulating the revocation, admission to probate, and contest thereof," approved May 31, 1852, approved December 21, 1865, have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that it do pass.

Mr. Hanna moved to postpone the further consideration of the bill and report until to-morrow at 9 o'clock A. M., and that they be made the special order for that hour.

Which was not agreed to.

The report of the Committee was then concurred in.

The bill contained in the foregoing report was then read a second time.

Mr. Cullen moved to amend the bill by providing that this act shall take effect only in cases where the party desiring the appeal had taken the legal steps under the law to perfect their appeal to the Circuit Court.

Which was agreed to.

Mr. Rice moved that the rules be suspended, the bill considered as engrossed, and that it be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Bowman, Brown, Cason, Church, Cravens, Cullen, English, Gifford, Houghton, Howk, Huey,
S. J.—51.

Huffman, Hyatt, Jaquess, Johnson, Mason, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, and Mr. President—31.

Those who voted in the negative were,

Messrs. Barker, Bennett, Hanna, Humphreys, Lee, Newlin, Sherrod, and Smith—8.

So the rules were not suspended.

The bill was then ordered to be engrossed for a third reading on to-morrow.

SPECIAL ORDER.

House bill No. 15. A bill to carry out the provisions of an act entitled, "an act to create a State Normal School, and declaring an emergency, approved December 20, 1865, and to appropriate funds necessary for the erection of the State Normal School, and providing from what funds the same shall be taken and appropriated,"

Was taken up.

Mr. Cullen moved to postpone the further consideration of the bill until to-morrow, at 9 o'clock A. M., and that it be made the special order for that hour.

The ayes and noes being demanded by Messrs. Bennett, and Cullen.

Those who voted in the affirmative were,

Messrs. Bennett, Bonham, Brown, Cason, Cravens, Cullen, Hyatt, Jaquess, Lewis, Milligan, Noyes, Oyler, Parrish, Reynolds, Richmond, Robinson, Thompson, Wolcott, and Mr. President—20.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Carson, Church, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Lee, Mason, Milligan, Newlin, Rice, Sherrod, Smith, and Stein—22.

So the motion to postpone did not prevail.

The bill was then read a third time.

On motion by Mr. Hanna, the further consideration of the bill was postponed until to-morrow, at 10 o'clock A. M., and it was made the special order for that hour.

By unanimous consent, the President laid before the Senate the following communication :

OFFICE OF AUDITOR OF STATE, }
INDIANAPOLIS, March 6, 1867. }

To the Hon. Will Cumbach, President of the Senate :

SIR:—I have the honor to submit the following report in response to the Senate resolution inquiring into the employment of the Hon. John Pettit, in the matter of the Montgomery County suit arising from the Schooler defalcation :

The original suit against Schooler and his securities terminated under the administration of my predecessor, Mr. Ristine. Shortly after I came into office, I received information from Mr. Pettit that he had personal knowledge of the existence of a claim on the part of the State for about \$40,000, and that he was willing to prosecute the case for a contingent fee of twenty per cent, or one-fifth of the amount recovered. At that time I was entirely ignorant of the case, and had not had time to inform myself of the nature and history of the claim.

On consultation with Mr. Williamson, the Attorney General, and expressing to him my lack of knowledge of the case, he advised me that if Mr. Pettit could bring that amount of money into the State Treasury, through his prosecution of the claim, to give him the employment. Mr. Pettit was accordingly notified of the acceptance of his proposition. On being informed by Mr. Pettit of the situation of the case, and the surrounding facts, I addressed him the letter appended to his remonstrance.

Your obedient servant,

T. B. McCARTY,
Auditor of State.

Which, on motion, was laid on the table.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No 183, a bill legalizing the consolidation of railroads heretofore made, and declaring the law relating thereto, and governing the same, have had the same under consideration, and direct me to strike out the first nine lines of section second, and insert the following :

SECTION 2. The consolidation of railroads made under the laws of this State, is upon the following conditions, and the same is hereby declared to be the law applicable to such consolidation.

And when so amended recommend its passage.

Which report was concurred in, and the amendments adopted.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Brown, Cason, Cravens, Cul len, Huey, Hyatt, Jaquess, Johnson, Milligan, Noyes, Reynolds, Richmond, Robinson, Stein, Thompson, and Wolcott—18.

Those who voted in the negative were,

Messrs. Armstrong Barker, Bowman, Carson, Church, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Lee, Lewis, Mason, Newlin, Niles, Oyler, Parrish, Reagan, Rice, Sherrod, Smith, and Mr. President—25.

So the bill did not pass.

Senate bill No. 200. A bill approving the action of Thomas B. McCarty, Auditor of State, in settling and saving to the State of Indiana \$2,262.08, occasioned by the defalcation of the Treasurer of Pulaski county, on account of the swamp land fund, and authorizing him to dispose of certain lands acquired thereby for the benefit of the State.

Was taken up.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker, Bellamy, Bennett, Bonham, Bowman,

Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Jaquess, Lee, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Thompson, Wolcott, and Mr. President—37.

Those who voted in the negative were,

Messrs. Hyatt, Johnson, and Reynolds—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By consent of the Senate, the following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 161. An act to establish a House of Refuge for the correction and reformation of juvenile offenders, to which the House has attached the accompanying engrossed amendments :

Engrossed House Amendments to Senate Bill No. 161. Amend section third by striking out in first and second lines the following words : "The said Commissioners are hereby empowered by, and with the approval of;" also add, after the word "Governor," in second line, the words "is hereby empowered." Further amend said section by striking out the word "they," in line eleven, and inserting the word "he," and in line twelve, by striking out the word "their" inserting the word "his" in place thereof.

Also amend section five, in line four, by inserting after the word "assistants," the following : "Not exceeding the number to be fixed by the Governor."

Also amend section six, in line three, by striking out the word five, and inserting the word "ten."

Also amend section seven by striking out the following words : After the word "he," in second line, "together with such subordinate officers as may be appointed in accordance with this act."

Amend section nine by striking out, after the word "Institution," in line five, the following: "The number and names of the youths detained at the Institution during the year."

Amend section ten by striking out the word "sixteen," in line eight, and insert "eighteen;" also, in line thirteen, same section, amend by adding after the word "parent," the word "or," and in lines 13, 17, 29, and 31, strike out the words "or next friend," and in line thirty-one, after the word "parent," add the word "or."

Amend section eleven by striking out, in line one, the word "sixteen," and insert "eighteen;" also amend said section, by adding thereto the following: "*Provided*, That any such infant may be discharged at any time before he or she arrived at legal age, as other infants are under this act; and the Court or jury may send said infant for a shorter period than their arrival at legal age."

Also amend section twelve by adding thereto the following: "Which hearing may be waived by the parent or guardian of such minor."

Amend section thirteen by striking out, in line two, the word "sixteen," and insert the word "eighteen."

Amend section fourteen by striking out the word "sixteen," in first line, and inserting "eighteen;" also amend said section, line ten, by inserting after the word "case," the following: "And the parent or guardian of the accused."

Amend section nineteen by adding thereto the following: "After a hearing and judgment of return by a Justice of the Peace in the county where the arrest shall be made."

Amend section twenty by adding after the word "parent," in line seventeen, the word "or," and by striking out in lines seventeen and eighteen, the words "or next friend."

Amend section twenty-one by adding, after the word "parent," in line four, the word "or," and by striking out the words "or next friend," in line five.

Amend by striking out section twenty-two, and make section twenty-three section twenty-two.

Make section twenty-four section twenty-three, and amend section twenty-four by adding after the word "parent," in line seven, the word "or," and strike out in same line, after the word "guardian," the words "or next friend."

Amend section twenty-five by making it section twenty-four; also amend said section by striking out all after the word "of;" in the second line, and insert the following: "Five hundred dollars per annum, payable quarterly on the warrant of the Governor, out of the Treasury of the State, and no travelling expenses or other allowances shall be paid to said Commissioners, or any of them.

Amend section twenty-six by making it section twenty-five.

Amend section twenty-seven by making it section twenty-six, and striking out of said section, after the word "acres," in line nineteen, the following: "Therefore should said land be not found in all respects suitable for the location thereon of said Institution;" also amend said section by inserting after the word "and," in line twenty-eight, the following: "Upon full payment of the purchase money;" also amend by making the following additional section thereto as section twenty-seven: "It shall be the duty of said Board of Control to provide teachers, and instruct infants under the age of sixteen years, in the principles of reading, writing, and arithmetic."

The amendments to Senate bill No. 161, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Thompson, the order of business was suspended, and

House bill No. 262, a bill to amend section two and six of an act entitled an act to incorporate the Widow's and Orphan's Asylum of Indianapolis.

Was taken up.

Mr. Thompson moved that the rules be suspended, and that the bill be read a second and third times now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Cravens, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler,

Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Thompson, Wolcott, and Mr. President—34.

Those who voted in the negative were,

Messrs. Barker, Bowman, Church, and Howk—4.

So the rules were suspended, and the bill was read a second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Barker Bellamy, Bennett, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Thompson, Wolcott, and Mr. President—38.

Mr. Sherrod voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hanna moved to reconsider the vote by which Senate bill No. 216—"a bill to encourage the republication of Blackford's Reports, and appropriating money to pay for the same"—was rejected.

Which was agreed to.

By unanimous consent of the Senate, on motion by Mr. Bennett, the bill was amended as follows:

Substitute for the first section the following:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the Clerk of the Supreme Court is hereby authorized and required to purchase of Merrill & Co., the publishers, as fast as the same may be issued, five hundred copies of each volume of the new edition of Blackford's Reports, at a price not exceeding three dollars per copy for each book so bought, said reports to be, so far as

printing, paper and binding is concerned, equal in every respect to the Indiana Reports.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bennett, Brown, Cason, Church, Cravens, Cullen, Hanna, Howk, Jaquess, Lee, Mason, Newlin, Niles, Oyler, Parrish, Reagan, Rice, Richmond, Robinson, Smith, Thompson, Wolcott, and Mr. President—23.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bellamy, Bowman, Carson, English, Gifford, Houghton, Huey, Huffman, Humphreys, Hyatt, Johnson, Lewis, Milligan, Noyes, Reynolds, and Stein—18.

So the bill did not pass for want of a constitutional majority.

Senate bill No. 100. A bill limiting the liability of innkeepers.
Was taken up.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Church, Cravens, Hanna, Howk, Huey, Hyatt, Jaquess, Johnson, Lewis, Milligan, Newlin, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Wolcott, and Mr. President—24.

Those who voted in the negative were,

Messrs. Armstrong, Barker, Bowman, Brown, Cason, Carson, Cullen, English, Gifford, Houghton Huffman, Humphreys, Mason, Noyes, and Smith—15.

So the bill did not pass for want of a constitutional majority.

On motion by Mr. Cumback, Mr. Cravens in the Chair, the order of business was suspended, and the following message from the House taken up.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bill thereof, to-wit:

Engrossed House bill No. 319. A bill authorizing the appropriation of money out of the State Treasury for the use of the State University located at Bloomington, Monroe county.

The bill contained in the foregoing message was read a first time and passed to a second reading on to-morrow.

By unanimous consent of the Senate, the order of business was suspended.

Mr. Stein offered the following resolution :

Resolved, That the Principal Secretary of the Senate is hereby authorized to file all the books, bills, and papers of this Senate upon the adjournment thereof, with the State Librarian, taking his receipt for the same, which receipt shall be filed among the other papers and placed upon the journal; and said Secretary is hereby instructed to make and publish in the journal a complete calendar of all the bills and joint resolutions of the Senate, for the convenient use of the members in case of an extra session; and that for all such work done after adjournment, such Secretary shall receive five dollars per day for every day actually employed, the time to be sworn to by him and certified by the President of the Senate, upon which certificate the Auditor shall issue his warrant, and said Secretary shall be paid out of the money appropriated for the payment of other legislative expenses: *Provided*, Said pay shall not exceed \$25.00.

On motion by Mr. Bennett, the resolution was referred to a Select Committee of three.

The President appointed Messrs. Stein, Hanna, and Bennett said Select Committee.

MR. PRESIDENT :

In accordance with provisions of certain resolutions of the Senate, requiring the Committee on Temperance to report to the Senate the number of counties sending up petitions, the number of petitions, the

whole number of petitioners, and separating the names so as to show the kind of legislation asked for by the petitioners, your committee beg leave to submit the following counties asking total prohibition:

Madison county sends eight petitions, embracing.....	941 names.
Wayne county sends one petition, embracing.....	4,000 names.
Marion county sends five petitions, embracing.....	1,530 names.
Randolph county sends six petitions, embracing.	556 names.
Miami county sends three petitions, embracing.....	339 names.
Howard county sends one petition, embracing.....	24 names.
Boone county sends one petition, embracing	100 names.
Delaware county sends one petition, embracing..	111 names.
Warren county sends one petition, embracing.....	220 names.
Sullivan county sends one petition, embracing.....	40 names.
Noble county sends one petition, embracing.....	11 names.
Huntington county sends one petition, embracing.....	160 names.
Porter county sends two petitions, embracing.	176 names.
Fulton county sends one petition, embracing.....	61 names.
Allen county sends one petition, embracing.....	50 names.
Henry county sends four petitions, embracing	720 names.
Tippecanoe county sends two petitions, embracing.....	69 names.
Switzerland county sends one petition, embracing.....	107 names.
Benton county sends one petition, embracing.....	196 names.
Carrol county sends one petition, embracing.....	171 names.
Lagrange county sends five petitions, embracing.....	163 names.
From counties unknown to the committee, twelve petitions, embracing.	704 names.

Total number of names asking for prohibition.....10,476

One memorial from the State Convention of the Independent Order of Good Templars, asking prohibition.

One memorial from the Christian Church, asking prohibition.

Three memorials from the M. E. Church, asking prohibition.

One memorial from the Ladies of Greensboro, Henry county, asking prohibition.

One memorial from the Western Yearly Meeting of Friends, held at Plainfield, Hendricks county, Ind., asking that drunkenness be made a crime, and if any infraction of law on the part of the retailer, shall be punishable by fine and a forfeiture of license.

Petitions from counties asking prohibition of the sale of intoxicating liquors, except upon petition of a majority of the legal voters of the town, township or ward in which the same is to be sold:

Union county sends four petitions.. ..	283
Fayette county sends one petition.....	75
Lagrange county sends one petition.....	45
Dearborn county sends one petition	72
Clarke county sends one petition.....	55
Huntington county sends one petition	136
Orange county sends one petition.....	158
Decatur county sends three petitions....	214
Decatur county sends two petitions.....	78
Johnson county sends two petitions.....	214

Whole number of names.....1,330

Parke county petitions for a law that will more thoroughly suppress the retail traffic in intoxicating liquors, declaring drunkenness a misdemeanor and making it a misdemeanor for an officer to refuse to take cognisance of the same. Two petitions, 352 names.

Knox county petitions that the present Legislature shall not enact any further restrictions upon the liquor traffic, signed by 399 names.

Which report was, on motion, laid on the table.

Mr. Bellamy moved to suspend the order of business and take up Senate bill No. 226.

Which was not agreed to.

On motion by Mr. Gifford, the Senate adjourned.

THURSDAY MORNING 9 o'clock, }
 March 7th, 1867. }

The Senate met.

On motion by Mr. Johnson, the reading of the Journal was dispensed with.

A message from the Governor, by John M. Commons, his Private Secretary.

MR. PRESIDENT :

I am directed by the Governor to transmit herewith a message, accompanied by the report of Gen. John L. Mansfield, in relation to the case of Daniel Harrison, of Pike county.

EXECUTIVE DEPARTMENT, }
 INDIANAPOLIS, March 6, 1867. }

To the Senate and House of Representatives :

It affords me pleasure herewith to transmit to the General Assembly the report of Gen. John L. Mansfield, of the result of his mission to the State of Mississippi, to procure the release of Daniel Harrison. The object of the Joint Resolution of the General Assembly was fully accomplished by Gen. Mansfield, and I cannot refrain from expressing my high appreciation of the skill and ability with which he performed the duty assigned him.

CONRAD BAKER.

His Excellency, Conrad Baker, Governor of Indiana :

SIR:—The General Assembly of the State of Indiana having instructed your Excellency in a Joint Resolution of February 22, to send to the State of Mississippi an accredited agent to take steps for procuring the protection and release of Daniel Harrison, who was recently delivered upon requisition to the executive authority of that State, you were pleased to honor me with that mission.

I have performed my task, and beg leave to submit to you the following report:

On my arrival at Evansville, February 23, I met Messrs. Richard Gladish, William H. Gladish, and Robert Willis, neighbors of Mr. Harrison, who had been advised of my arrival by General Sharkleford. These gentlemen I took with me to Macon, Mississippi, for the purpose of establishing by their evidence the alibi of Harrison, and the fact of his having been mistaken for another man when arrested.

After various delays, in consequence of the high water, we were compelled to travel by way of Memphis, and did not arrive in Macon until 3 A. M. of the first of March. On the same day I produced my credentials, and was admitted to the bar as one of the counsel for the defence. But before all of the evidence which I had adduced had been heard by the Court, Colonel Inge, one of the attorneys for the prosecution, withdrew, in a very appropriate manner, the charges preferred against Harrison, and admitted that they had got the wrong man. The Court adjourned, and the members of the bar, and a number of the citizens of Macon congratulated Mr. Harrison upon his full and complete vindication. In return I offered thanks for myself, and in behalf of those I had come to represent for the kind treatment which Mr. Harrison and his friends had received during their stay at Macon, and for the speedy and impartial trial of this case.

Mr. Harrison has been advised by gentlemen residing in Macon, and by myself to bring suit against those who have caused his arrest. He returned with me to Indiana, but will follow our advice, and I doubt not of his obtaining ample redress for the wrong he has suffered.

Permit me to say in addition to the above, that it appears upon a closer investigation of this case, that the Southern Express Company of Mississippi had offered a reward for the apprehension of the person or persons who have committed the robbery at Macon, having especial reference to a man who passed under the name of J. W. Smith, and was seen at Macon at the time the robbery was committed.

A detective recognized or pretended to recognize this Smith in the person of Harrison. A slight resemblance in the appearance of these two persons led to affidavits of identity, and a requisition was obtained from the Governor of Mississippi at the instance of the Southern Express Company.

Mr. Harrison stated to me, that a citizen of Macon, by the name of Johnson, and two detectives from Chicago, obtained possession of

his person at Evansville, which place he had visited for the transaction of business. During his confinement in the Evansville jail, he requested the Sheriff to call General Sharkleford, a practicing Attorney. On his appearance, the Sheriff took Mr. Harrison from his cell to a private room, to confer with the General.

After a short consultation, General Shackelford requested the Sheriff to retain Mr. Harrison for a few minutes in that room until he could return with an affidavit, and then left. The Sheriff, however, instantly removed Mr. Harrison to his cell, and disappeared from his sight.

Soon after, and before the return of General Shackelford, Mr. Johnson, and the two detectives appeared at the cell, and removed Mr. Harrison with great haste to the bank of the Ohio river, forced him into a skiff, and ferried him through masses of floating ice to the Kentucky side. Mr. Johnson has subsequently stated under oath, in open Court, at Macon, that the Sheriff of Vanderburgh county had occasioned this hasty removal by saying to him, "if you do not remove your prisoner instantly, he will be taken away from you."

In conclusion, I have to say to your Excellency, that Mr. Harrison, and his father, Otho Harrison, desire me to offer you their sincere thanks for the lively interest you have manifested in relieving them from their distress. They have also requested me to express their profound obligations to the members of the General Assembly for having protected with paternal care, the rights of an humble citizen of the State of Indiana.

I have the honor to be your obedient servant,

JOHN L. MANSFIELD.

INDIANAPOLIS, March 6, 1867.

The President laid before the Senate the following communication:

OFFICE OF STATE LIBRARIAN, }
INDIANAPOLIS, March 6, 1867. }

To the President and the Members of the Senate:

GENTLEMEN:—Messrs. W. & J. Braden proposes to furnish the charts ordered by resolution of the Senate for the sum of one hundred and fifteen dollars. They can not, however, be printed and

colored before the close of the session. If desired, they can be forwarded to members by express or otherwise.

Yours truly,

B. F. FOSTER,
State Librarian.

Mr. Carson moved to reconsider the vote by which the resolution of Mr. Turner, providing for furnishing the Auditor's maps, was adopted.

Which was agreed to.

On motion by Mr. Carson, the resolution was laid on the table.

REPORTS FROM STANDING COMMITTEES.

Mr. Stein, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 230—a bill to repeal an act entitled an act to authorize railroad companies to occupy and use, for railroad purposes, the property of canal companies, with their consent, and to secure them in such occupation and use, and for the protection of the hydraulic powers of each canal, and to authorize the lessees of the water privileges in said canal, to organize a company or companies for the maintenance thereof in case of the failure of said canal company to maintain the same, approved November 16, 1865—have had the same under consideration, and have directed me to report it to the Senate without amendment and recommend its passage.

Which report was concurred in.

Senate bill No. 230, contained in the foregoing report, was read a second time and ordered to be engrossed for a third reading on to-morrow.

Mr. Oyler, Chairman of the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT :

The Committee on the Organization of Courts, to whom was referred a petition from the citizens of Boone county for the formation of a new Common Pleas District, have had the same under consideration and have instructed me to report the same back to the Senate and recommend that it lie on the table, for the reason that the legislation asked for has already been made.

Which report was concurred in.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Bennett offered the following resolution :

WHEREAS, Certain soldiers, and other well disposed persons, have, for patriotic and benevolent purposes, engaged in certain lotteries and lottery schemes, the proceeds of which were to be applied in aid of disabled soldiers, and of the widows and orphans of deceased soldiers,

AND WHEREAS, In some cases, such soldiers have been indicted for said practices,

Therefore be it Resolved, That the Committee on the Judiciary be instructed to inquire into the propriety, of providing by law, for prohibiting the conviction of such soldiers for such practices where the court or jury trying the same are satisfied that such lotteries or lottery schemes were gotten up for the above mentioned purpose, and to report by bill or otherwise.

Which was referred to the Committee on the Judiciary.

Mr. Parrish presented sundry claims, which were referred to the Committee on Claims.

Mr. Church, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims have had under consideration the claims of Henry Reese & Co., for twenty dollars and twelve cents, and the claim of J. & P. Gramling for five dollars and fifty cents, and
S. J.—52

recommend that the same be referred to the Committee on Finance and allowed.

Which report was concurred in.

Mr. Reagan, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the claim of the Daily Telegraph Company, for papers furnished the Senate during the present session, have had the same (amounting to the sum of \$673.92,) under consideration and recommend that it be referred to the Committee on Finance and be allowed.

Which report was concurred in.

Mr. Noyes, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the claim of the Herald Company for the Daily *Herald* for the use of the Senate, amounting to five hundred and sevent-eight dollars and seventy-eight cents, have had the same under consideration, and have directed me to report the same back to the Senate and recommend that it be referred to the Committee on Finance and allowed.

Which report was concurred in.

Mr. Thompson presented a memorial from W. H. English.

Which was referred to the Committee on Claims.

Mr. Reagan, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the claim of John Lanahan, for taking of the Supreme Court Room, done in November and December, 1863, 32 days, at one dollar per day, \$32.00, have had the same under consideration and have directed me to report it back

to the Senate with a recommendation that it be referred to the Committee on Finance and allowed.

Which report was concurred in.

Mr. Sherrod, from a Select Committee, made the following report :

MR. PRESIDENT :

The Select Committee to whom was referred House bill No. 276, a bill to amend an act to amend section 124 of an act entitled an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana ; for the election of Township Assessors and prescribing the duties of Assessors, Appraisors of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State, approved June 21st, 1852, which first above mentioned act was approved March 11, 1861, have had the same under consideration and have directed me to report the same back and ask its passage.

Which report was concurred in.

JOINT RESOLUTIONS.

Mr. Reynolds introduced,

Senate Joint Resolution No. 9. "Joint Resolution relative to an appropriation for improving the Harbor at Michigan City."

Which was read a first time.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Houghton, Howk, Huey, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Stein, Thompson, Ward, Wolcott and Mr. President—35.

Those who voted in the negative were,

Messrs. Hanna, Newlin and Smith—3.

So the Joint Resolution passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Noyes, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the claim of J. B. Wilder for the *Evening Gazette* for the use of the Senate, amounting to five hundred and seventy dollars and seventy-six cents, have had the same under consideration and have directed me to report the same back to the Senate and recommend that it be referred to the Committee on Finance and be allowed.

Which report was concurred in.

Mr. Thompson in the Chair.

On motion by Mr. Cumback, House bill No. 319, a bill authorizing the appropriation of money out of the State Treasury for the use of the State University located at Bloomington, Monroe county, was taken up, read a second time, and passed to a third reading on to-morrow.

Mr. Oyler moved to suspend the order of business and take up House bill No. 316, "a bill to protect and indemnify officers and soldiers of the United States and officers and soldiers of the Indiana Legion for acts done in the military service of the United States and in the military service of the State of Indiana, and enforcing the laws and preserving the peace of the country."

The ayes and noes being demanded by Messrs. Oyler and Cullen,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cullen, Houghton, Hyatt, Jaquess, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Ward, Wolcott and Mr. President—28.

Those who voted in the negative were,

Messrs. Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Lee, Newlin, Sherrod, Smith and Turner—13.

So the order of business was suspended the bill taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Cravens, Church, Cullen, Houghton, Hyatt, Jaquess, Johnson, Lewis Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—28.

Those who voted in the negative were,

Messrs. Bowman, Carson, English, Gifford, Hanna, Howk, Huey, Huffman, Lee, Mason, Newlin, Sherrod, Smith, and Turner—14.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Pending the call of the roll on the passage of the bill, Mr. Hanna demanded a call of the Senate.

The Secretary proceeded with the call.

Whereupon the following Senators answered to their names:

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—42.

On motion by Mr. Hanna, the further call of the Senate was dispensed with.

Mr. Rice moved to suspend the order of business and take up Senate bill No. 231. A bill to save pending suits affected by the passage of an act entitled "an act to repeal sections 43 and 44 of an act entitled 'an act prescribing who may make a will, the effect

thereof, what may be devised, regulating the revocation, admission to probate, and contest thereof," approved May 31, 1852, approved December 21, 1865.

Which was agreed to, and the bill was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bonham, Bowman, Brown, Cason, Carson, Church, Cullen, English, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Johnson, Lewis, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—33.

Those who voted in the negative were,

Messrs. Armstrong, Bennett, Hanna, Jaquess, Sherrod, Smith, and Turner—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

SPECIAL ORDER.

House bill No. 15. A bill to carry out the provisions of an act entitled "an act to create a State Normal School, and declaring an emergency, approved December 20, 1865, and to appropriate funds necessary for the erection of the State Normal School, and providing from what fund the same shall be taken and appropriated."

Was taken up.

Mr. Cullen demanded a call of the Senate.

The Secretary proceeded with the call.

The following Senators answered to their names:

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Newlin, Noyes, Oyler, Parrish, Reynolds, Rice, Rich-

mond, Robinson, Sherrod, Smith, Stein, Thompson, Turner, Ward, Wolcott, and Mr. President—40.

On motion by Mr. Hanna, the further call of the Senate was dispensed with.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Hyatt, Jaquess, Lee, Mason, Milligan, Newlin, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Thompson, Turner, Ward, and Mr. President—33.

Those who voted in the negative were,

Messrs. Bowman, Huey, Huffman, Johnson, Lewis, and Noyes—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By consent of the Senate, the order of business was suspended, and

Senate bill No. 226. A bill to amend the 28th section of an act entitled "an act to incorporate the Vevay, Mount Sterling and Versailles Turnpike Road Company, approved January 4, 1850,

Was taken up.

By unanimous consent of the Senate,

On motion by Mr. Bellamy, the following amendments were adopted:

Amend section first in line nineteen by striking out "thirty" and inserting "twenty-five;" twentieth line by striking out "ten" and inserting "seven and a half;" twenty-second line by striking out "twenty-five" and inserting "twenty;" twenty-fourth line by striking out "ten" and inserting "seven and a half;" twenty-eighth line by striking out "ten" and inserting "seven and a half." Also, by adding to the section, the following: The President and Directors of

said Company shall semi-annually make an itemized statement of the receipts and expenditures of said Company and publish the same in some paper in general circulation, and published nearest to said road.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Brown, Cason, Cravens, Cullen, English, Gifford, Hyatt, Jaquess, Johnson, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Ward, and Mr. President—28.

Those who voted in the negative were,

Messrs. Bennett, Bowman, Howk, Huey, Lee, Sherrod, and Turner—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

MESSAGES FROM THE HOUSE.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following Engrossed bill thereof, to-wit:

No. 19. A bill to regulate and make uniform the prices charged by railroad companies, for transporting goods, merchandise, and material to and from stations on railroads in this State.

No. 243. A bill prescribing the manner in which railroad corporations within this State may be consolidated with railroad corporations within or without this State, prescribing penalties for the violation of this act, and declaring an emergency.

No. 259. A bill to amend the twenty-seventh section of an act defining felonies, and prescribing punishment therefor.

In which the concurrence of the Senate is respectfully requested.

House bill No. 19, contained in the foregoing message, was read a first time, and referred to the Committee on Corporations.

House bill No. 243, contained in the foregoing message, was read a first time, and referred to the Committee on Corporations.

House bill No. 259, contained in the foregoing message, was read a first time, and referred to the Committee on the Judiciary.

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following Engrossed bills thereof, to-wit :

No. 59. A bill to amend the second and twenty-third sections of an act entitled "An act for the incorporation of insurance companies."

No. 212. A bill to repeal a portion of the forty-first section of an act entitled "An act to repeal all general laws now in force for the incorporation of cities," &c., &c.

No. 287. "A bill fixing the salary and terms of office of the Directors of the State Prison North, and repealing all laws conflicting with this act."

No. 290. A bill to amend section twenty-nine of an act entitled "An act defining misdemeanors, and prescribing punishment therefor."

No. 300. A bill to amend section first of an act entitled an act to amend section first of "An act entitled an act to fix the terms of holding the Common Pleas Courts in the several counties of this State."

House bill No. 59, contained in the foregoing message, was read a first time by its title, and referred to the Committee on Corporations.

House bill No. 212, contained in the foregoing message, was read a first time by its title, and referred to the Committee on Corporations.

House bill No. 287, contained in the foregoing message, was read a first time, by its title, and referred to the Committee on State Prisons.

House bill No. 290, contained in the foregoing message, was read a first time, by its title, and referred to the Committee on the Judiciary.

House bill No. 300, contained in the foregoing message, was read a first time, by its title, and referred to the Committee on the Organization of Courts.

The following message from the House was taken up.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit : .

No. 14. A bill appointing Commissioners to adjust the claims of citizens of the State of Indiana, for damages sustained by reason of the raid of the rebel forces under command of John Morgan, in July, 1863.

No. 179. A bill authorizing any person desiring to erect a flouring mill, or other machinery to be propelled by water on his own land, to erect a dam and make a way above his mill or machinery, on or through lands belonging to others.

No. 201. A bill to provide for the protection of wild and harmless birds on or about the premises or inclosures of another, and declaring the penalty for the violation of this act.

No. 233. A bill to fix the time of holding the Court of Common Pleas in the county of Clinton, and repealing all laws in conflict therewith.

No. 384. An act to legalize the action of the State Board of Equalization at its session in 1864, and declaring the duty of the Auditor of State in relation thereto.

No. 335. An act to amend section two of an act entitled an act to provide a treasury system for the State of Indiana, for the manner of receiving, holding, and disbursing the public moneys of this State, and for the safe keeping of the public moneys.

No. 348. A bill making general appropriations for the years 1867 and 1868; defining the salaries and official tenure of certain officers; repealing certain laws therein named, and declaring an emergency.

No. 331. An act requiring the Secretary of State to purchase the paper and other stationery for the public printing of the State; directing the manner of doing the same, and requiring the State Printer to account for all such paper and stationery placed in his hands, and providing compensation to the Secretary of State for his services, and making it the duty of the Attorney General to sue on certain bonds, and for the safe keeping of a specimen copy of each document printed for the State.

House bill No. 14, contained in the foregoing message, was read a first time, by its title, and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

House bill No. 179, contained in the foregoing message, was read a first time, by its title, and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

House bill No. 201, contained in the foregoing message, was read a first time, by its title, and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

House bill No. 233, contained in the foregoing message, was read a first time, by its title, and referred to the Committee on the Organization of Courts.

House bill No. 334, contained in the foregoing message, was read a first time, by its title, and referred to the Committee on the Judiciary.

House bill No. 335, contained in the foregoing message, was read a first time, by its title, and referred to the Committee on Finance.

House bill No. 348, contained in the foregoing message, was read a first time.

Mr. Hanna offered the following resolution :

Resolved, That the general appropriation bill be returned to the

House of Representatives with the request to inquire who has inserted pencil amounts in the place of the amounts fixed by the Committee in the appropriations for public printing and the State Prison North, and by what authority the same was done.

Mr. Rice moved to amend the resolution as follows :

By inserting that the appropriation bill be returned to the House for correction in amounts, and when so corrected returned to the Senate.

Which was not agreed to.

The resolution was then adopted.

House bill No. 331, contained in the foregoing message, was read a first time by its title and referred to the Committee on Public Printing.

The following message from the House was taken up.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 40, entitled a bill defining what counties shall constitute the Thirteenth Judicial District with the following engrossed amendments thereto, in which the concurrence of the Senate is respectfully requested :

In the county of Blackford on the first Monday succeeding the courts in the county of Wayne ; in the county of Jay on the first Monday succeeding the courts in the county of Blackford, and in the county of Randolph on the first Monday succeeding the courts in the county of Jay.

The engrossed amendments of the House to Senate bill No. 40, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 13, with the following engrossed amendments thereto, in which the concurrence of the Senate is respectfully requested :

Amend section first by striking out in the third line the word "may" and insert the word "shall" in lieu thereof. Also amend by striking out, in lines eight and nine of section one, these words, "or most convenient."

The engrossed amendments of the House to Senate bill No. 13, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed Senate bills to-wit :

Engrossed Senate bill No. 191, entitled an act supplemental to an act entitled an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical, and building purposes, approved May 20, 1852, and providing that charters of existing companies shall not be forfeited for acts done prior to February 1, 1867.

Also Engrossed Senate bill No. 105, entitled a bill to amend an act entitled an act providing for the organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties, approved June 1, 1852, and providing for Criminal and Civil Circuit Courts, approved December 20, 1865.

A message from the Governor by Capt. John M. Commons, his Private Secretary.

MR. PRESIDENT :

I am directed by the Governor to inform your honorable body that he has approved and signed

Enrolled act No. 227. "An act to consolidate certain bonds, stocks and accounts of the School Fund into one non-negotiable bond, and making other provisions in relation thereto," and that the same has been deposited in the office of the Secretary of State.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Hyatt, Chairman of the Committee on the Affairs of the City of Indianapolis, made the following report :

MR. PRESIDENT :

The Committee on the Affairs of the City of Indianapolis, to whom was referred House joint resolution No. 16, a joint resolution vacating a highway near the Asylum of the Deaf and Dumb, and authorize the Trustees of said Institution to resume possession of the land over which the same runs, have had the same under consideration, and a majority of said committee have instructed me to report the same back recommending that it lie on the table.

The question being, shall the report be concurred in.

The ayes and noes were demanded by Messrs. Noyes and Oyler.

Those who voted in the affirmative were,

Messrs. Bennett, Bonham, Brown, Cason, Cravens, Hanna, Houghton, Jaquess, Lee, Lewis, Mason, Milligan, Newlin, Oyler, Parrish, Rice, Richmond, Robinson, Stein, Thompson, Turner, and Wolcott—22.

Those who voted in the negative were,

Messrs. Armstrong, Bowman, Carson, Church, Cullen, English, Gifford, Howk, Huey, Huffman, Hyatt, Johnson, Niles, Noyes, Reagan, Reynolds, Sherrod, Smith, Terry, Ward, and Mr. President—21.

So the report of the Committee was concurred in.

By unanimous consent of the Senate,

Mr. Parrish presented the claim of Dr. H. H. Gillen, for medical services and traveling expenses for going to Shiloh, Tennessee, and attending to sick and wounded Indiana soldiers.

Which was referred to the Committee on Claims.

By consent of the Senate, the order of business was suspended, and

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 334, a bill to legalize the action of the State Board of Equalization at its session in 1864, and declaring the duty of the Auditor of State in relation thereto, have had the same under consideration, and direct me to report the same back to the Senate and recommend its passage.

Which report was concurred in.

Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom referred Senate bill No. 184, introduced by Senator Cullen, entitled "an act for the relief of Lewis and Eichelberger, Dair and Johnson, Peter Hallowell and Abraham Briggs," have had the same under consideration, and are of the opinion that the claimants named in the bill have no demand against the State, there being no law in anywise authorizing the trespasses which have occasioned the damages sought to be assessed and paid by the provisions of said bill. The committee find that the injuries within the contemplation of the bill were occasioned by the violate and arbitrary proceedings of the White Water Valley Canal Company, acting in conspiracy with the White Water Valley Railroad Company, and that said proceedings had no warrant or authority in law—wherefore said Companies are liable as trespassers to the party aggrieved.

The Committee therefore recommend that said bill do lie upon the

table. Recognizing, however, the great loss which has been actually suffered by the said parties seeking relief, and the duty of the State to vindicate its citizens against the lawlessness of corporations which derive all their being and power from the State, the Committee recommend the adoption of the following joint resolution :

Resolved by the General Assembly of the State of Indiana, That the Attorney General of the State be, and he hereby is, directed to institute in the proper Courts, without unnecessary delay, and prosecute diligently to final judgment, proceedings in the nature of an information, in the name of the State of Indiana, against the White Water Valley Canal Company and the White Water Valley Railroad Company, to determine whether each of said Companies, or both jointly, by wilfully and unlawfully breaking up and destroying the hydraulic benefits of the White Water Valley Canal, to the great damage of Lewis and Eichelberger, Dair and Johnson, Peter Hallowell and Abraham Briggs, have done or omitted such acts as amount to a surrender or forfeiture of the rights and privileges as a Corporation, of said Companies, or of either of them, or have singly or jointly exercised powers not conferred by law.

Mr. Cullen moved that the further consideration of the foregoing report be postponed until this afternoon at three o'clock P. M., and that it be made the special order for that hour; and further, that House bill No. 230 be considered at the same time.

Which was agreed to.

On motion by Mr. Mason the order of business was suspended, and

House bill No. 240. A bill to provide for the inspection of coal oil, petroleum oils, and prescribing penalties for the violation thereof, and providing jurisdiction for the enforcement of penalties."

Was taken up, read a second time, and passed to a third reading on to-morrow.

On motion by Mr. Cravens the order of business was suspended, and

The following message from the House taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the

Senate that the House has passed the following Engrossed Senate bill, to-wit:

Senate bill No. 70. Entitled a bill to amend section fifty-seven of an act for the incorporation of cities, approved December 25, 1865, authorizing subscriptions and donations to aid in the construction of plank roads, macadamized roads, and railroads running into or through such cities, prescribing the manner in which such subscriptions and donations may be made and for the enforcement thereof, with the following engrossed amendments thereto, in the concurrence of which the Senate is respectfully requested.

Engrossed amendments of the House to Senate bill No. 70:

1. Amend by inserting immediately after the words "macadamized roads" in the last of third page of the bill the words "slack-water navigation company."

2. Amend further by inserting next after the word "road" in the fourth line of the fourth page of the bill the words, "or in the construction of the works of such slack-water navigation company."

3. Amend further by inserting immediately after the word "roads" in the third line of the fifth page of the bill the words, "or passage of boats along the river occupied and improved by any Slack-Water Navigation Company, in case of such company."

Amend title by inserting after the words "macadamized roads" the following words, "slack-water navigation."

On motion by Mr. Cravens the engrossed amendments of the House to Senate bill No. 70, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Oyler, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

Mr. Ward moved that the vote by which the Senate concurred in House amendments to Senate bill No. 40 be reconsidered.

Which was agreed to.

Mr. Ward moved to recommit the amendments to a select committee, composed of the Senators from the counties composing the district.

Which was agreed to.

The President appointed Messrs. Ward, Reagan, Huey, and Bonhamam said select committee.

REPORTS OF STANDING COMMITTEES.

Mr. Oyler, Chairman of the Committee on the Organization of Courts, made the following report :

MR. PRESIDENT :

The Committee on the Organization of Courts, to whom was referred House bill No. 300, a bill to amend section first of an act entitled "An act to amend section first of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof and making all process from the present Common Pleas returnable to such terms, and declaring when this act shall take effect and repealing all laws inconsistent therewith," approved March 5, 1859, approved January 26, 1866, have had the same under consideration, and have instructed me to report the same back to the Senate, without amendment, and recommend its passage.

Which report was concurred in.

REPORTS FROM SELECT COMMITTEES.

Mr. Wolcott, Chairman of the Select Committee, made the following report :

MR. PRESIDENT :

The committee to whom was referred the question of proposing amendments to the Constitution, to whom was referred the amendment of Mr. Carson, which reads as follows :

"The General Assembly of the State of Indiana shall never incur any debt or liability, or recognise any claim or demand whatever, arising out of or connected with the Wabash and Erie Canal, or matters pertaining thereto, except as provided in an act entitled 'an act to provide for the funded debt of the State of Indiana, and the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846,' and an act supplemental thereto, entitled 'an act supplementary to an act to provide for the funded debt for the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846, approved January 27, 1847,' and the said acts shall never be construed so as to in any manner create any moral or legal obligation on the part of said State to incur any liability or obligation on her part other than is expressly provided in said acts."

Have considered and approved the same, and they recommend it as one of the proposed amendments to the Constitution.

On the amendment of the form of the resolution proposed by Mr. Bennett, changing it from concurrent to joint, the committee respectfully report, that after careful consideration of the subject they perceive no necessity for a change in the form of the resolution, and they therefore recommend that the proposed change be not adopted.

Which report was concurred in.

Mr. Wolcott offered the following concurrent resolution :

Resolved by the Senate of the State of Indiana, the House of Representatives concurring, That the Constitution of the State of Indiana be amended so as to add the following provision :

"Incorporated cities, towns and townships, shall have the power by taxation, under regulations prescribed by the General Assembly, to raise revenue for the support of common schools, in addition to the revenue derived for that purpose from the State."

And that it also be amended so as to add the provision :

"The General Assembly of the State of Indiana shall never incur any debt or liability, or recognize any claim or demand whatever, arising out of or connected with the Wabash and Erie Canal, or matters pertaining thereto, except as provided in an act entitled an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846, and an act supplemental thereto, entitled an act supplementary to an act to provide for the funded debt of the State of Indiana, for the completion of the Wabash and Erie Canal, approved January 19, 1846, approved January 27, 1847, and the said acts shall never be construed so as in any manner to create any moral or legal obligation on the part of said State to incur any liability or obligation on her part other than is expressly provided in said acts."

And that section nine, article 4, which reads as follows :

"The sessions of the General Assembly shall be held biennially at the capital of the State, commencing on the Thursday next after the first Monday of January in the year one thousand eight hundred and fifty-three, and on the same day of every second year thereafter, unless a different day or place shall have been appointed by law. But if in the opinion of the Governor, the public welfare require it, he may, at any time, by proclamation, call a session."

Be amended so as to read as follows :

"The sessions of the General Assembly shall be held annually at the capital of the State, commencing on the first Thursday in December after this amendment has been ratified as provided for in the Constitution ; and on the same day of each year thereafter, unless a different day or place shall be appointed by law. But if in the opinion of the Governor the public welfare require it, he may, at any time, by proclamation, call a special session."

And that section twenty-nine, article four, which reads as follows :

"The members of the General Assembly shall receive for their services a compensation to be fixed by law ; but no increase of compensation shall take effect during the session at which such increase may be made.

"No session of the General Assembly except the first under this Constitution, shall extend beyond the term of sixty-one days, nor any special session beyond the term of forty days."

Be amended so as to read as follows :

"The members of the General Assembly shall receive for their ser-

vices a compensation to be fixed by law ; but no increase of compensation shall take effect during the session at which such increase may be made. No session of the General Assembly shall be limited by law, but the members thereof shall receive no compensation for their services after the first ninety days of the annual session shall have expired ; and the first forty days of the special session shall have expired."

On motion by Mr. Oyler, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names.

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Cravens, Cullen, English, Gifford, Hanna, Howk, Huey, Huffman, Hyatt, Jaquess, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—38.

On motion by Mr. Oyler, the further proceedings under the call was dispensed with.

The question recurring on the adoption of the resolution.

On motion by Mr. Hanna, the Senate resolved itself into a Committee of the whole Senate, Mr. Bennett in the chair, with the foregoing concurrent resolution under consideration. After some time spent in the consideration thereof, the Committee rose, and through its Chairman, made the following report :

MR. PRESIDENT :

The Committee of the whole Senate, to whom was referred the concurrent resolution offered by Mr. Wolcott, proposing the submission of certain amendments to the Constitution of the State of Indiana, have spent some time in the consideration of the same, and have directed me to make the following report :

The committee submit the following recommendations :

1st. That the first section be adopted.

2d. That the second section be amended as follows, and when so amended, that it be adopted :

Amend so as to add the following provision : / The General Assembly of the State of Indiana shall never incur any debt or liability, or recognize any claim whatever growing out of or connected with the the Wabash and Erie Canal, or matters pertaining thereto, except as provided in an act entitled "an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 19th, 1846, and the act supplemental thereto, approved January 27th, 1847, and said acts shall never be construed so as in any manner to create any liability or legal obligation on the part of said State, but this section shall in no wise be construed as affecting the rights of persons holding the obligations of the State, and who were not parties to the adjustment of the debt of this State as made in the acts herein referred to:

3d. That the third section be adopted.

4th. That section four be amended as follows, and when so amended they recommend its adoption.

Insert "sixty one days" instead of "ninety days," and the Committee ask to be discharged from the further consideration of the subject.

Mr. Bennett moved to concur in the report with the following amendment :

Strike out of the second proposition the words "first Thursday in December," and insert "Thursday next after the first Monday of January."

Mr. Bennett moved to concur in the report with the following amendment :

"The Governor shall cause an authenticated copy of this Resolution to be filed in the office of the Secretary of State, and shall cause the same to be submitted to the next General Assembly for their concurrence."

Mr. Rice moved to concur in the report with the following amendment :

Strike the word "township" out of the first section wherever it occurs.

Mr. Rice moved to lay the report, concurrent resolution, and pending amendments thereto, on the table.

Mr. Oyler moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question be now put?

It was agreed to.

The question then being, shall the report, resolution and amendments, be laid on the table?

The ayes and noes were demanded by Messrs Oyler and Cullen.

Those who voted in the affirmative were,

Messrs. Cason, Church, Cullen, Hanna, Houghton, Huffman, Mason, Newlin, Niles, Rice, Smith, Stein, Taggart, Terry, and Ward—15.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Cravens, English, Gifford, Howk, Huey, Hyatt, Johnson, Lee, Lewis, Milligan, Noyes, Oyler, Parrish, Reynolds, Richmond, Robinson, Thompson, Wolcott, and Mr. President—26.

So the motion to lay on the table did not prevail.

The question recurring on the amendment offered by Rice.

It was not agreed to.

The question further recurring upon the amendments offered by Mr. Bennett.

They were agreed to.

The question then being, shall the report of the Committee of the whole Senate be concurred in?

The ayes and nays were demanded by Messrs. Hanna and Bennett.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown,

Cason, Cravens, English, Gifford, Howk, Huey, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Noyes, Oyler, Parrish, Reynolds, Richmond, Robinson, Stein, Taggart, Thompson, Turner, Wolcott, and Mr. President—30.

Those who voted in the negative were,

Messrs. Carson, Church, Cullen, Hanna, Houghton, Huffman, Lee, Newlin, Niles, Rice, Smith, Terry, and Ward—13.

So the report was concurred in.

The question then being, shall the concurrent resolution be adopted?

The ayes and noes were demanded by Messrs. Cullen and Hanna.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Carson, Cravens, English, Gifford, Howk, Hyatt, Jaquess, Thompson, Lewis, Milligan, Noyes, Oyler, Parrish, Reynolds, Richmond, Robinson, Stein, Thompson, Wolcott, and Mr. President—26.

Those who voted in the negative were,

Messrs. Cason, Church, Cullen, Hanna, Huey, Huffman, Lee, Mason, Newlin, Niles, Rice, Smith, Taggart, Terry, and Ward—15.

So the resolution was adopted.

Ordered, That the Secretary inform the House thereof.

Mr. Church, from the Committee on Phraseology and Enrollment of Bills, made the following report:

MR. PRESIDENT:

The Committee on the Phraseology and Enrollment of Bills, have examined with care Enrolled Senate Bill No. 105, an act to amend section five of an act entitled an act providing for an organization of Circuit Courts, etc., and direct me to report the same as correctly enrolled.

Mr. Cullen in the Chair.

On motion by Mr. Cumback, the order of business was suspended, and House bill No. 319, a bill authorizing the appropriation of money out of the State Treasury, for the use of the State University, located at Bloomington, Monroe county,

Was taken up.

Mr. Cumback moved that the rules be suspended, and the bill read a third time now.

The ayes and nays being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Hawk, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Newlin, Oyler, Parrish, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—40.

Those who voted in the negative were,

Messrs. Huey and Noyes—2.

So the rules were suspended, and the bill was read a third time.

The question being, shall the bill pass?

Mr. Oyler demanded the previous question, which was seconded by the Senate.

The question being, shall the main question be now put?

It was agreed to.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bonham, Carsons, Cravens, Cullen, English, Gifford, Hanna, Houghton, Hawk, Huey, Hyatt, Jaquess, Johnson, Lee, Mason, Newlin, Oyler, Parrish, Reynolds, Rice, Rich-

mond, Robinson, Stein, Taggart, Turner, Ward, Wolcott, and Mr. President—30.

Those who voted in the negative were,

Messrs. Armstrong, Brown, Cason, Huffman, Lewis, Milligan, Niles, Noyes, Smith, Terry, and Thompson—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Ward, Chairman of a Select Committee, made the following report :

MR. PRESIDENT :

The Select Committee, to whom was referred Senate bill No. 40—a bill defining what counties shall constitute the Thirteenth Judicial Circuit, and fixing the times of holding courts therein, and the engrossed amendments of the House thereto—have had the same under consideration, and have instructed me to report the same back with the recommendation that the Senate disagree to the said engrossed amendments of the House thereto, and insist upon the passage of the bill without amendment.

Which report was concurred in.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Armstrong introduced

Senate bill No. 246. A bill to fix the times of holding terms of Circuit Courts in the Eleventh Judicial Circuit.

Which was read a first time.

Mr. Hanna moved that the rules be suspended, the bill considered as engrossed, and that it be read a second and third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Richmond, Robinson, Stein, Taggart, Terry, Turner, Ward, Wolcott, and Mr. President—39.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a second and third times.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bonham, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—39.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Howk, from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Enrollment of Bills, have examined Enrolled Act No. 13 entitled an act to authorize and provide for changes of venue in civil actions in certain cases, and find the same to be correctly enrolled.

Which was concurred in.

Mr. Bellamy, from the Committee on Phraseology and Enrolled Bills, made the following report :

MR. PRERIDENT :

The Committee on Phraseology and Enrolled Bills have carefully examined Enrolled Act No. 191, an act supplemental to an act entitled an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes, approved May 20, 1852, and providing that charters of existing companies shall not be forfeited for acts done prior to February 1, 1867, and they find said act correctly enrolled.

Which report was concurred in.

On motion by Mr. Bennett the order of business was suspended, and

House bill No. 348. A bill making general appropriations for the years 1867 and 1868, ect.,

Was taken up and referred to the Committee on Finance.

On motion by Mr. Oyler, the order of business was suspended, and

House bill No. 139. A bill to amend sections 649 and 650, of an act entitled an act to revise, simplify, and abridge the practice, pleadings, and forms in civil cases in the courts of this State ; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, approved June 18, 1852,

Was taken up, read a second time, and passed to a third reading on to-morrow.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has received the message of the Senate containing a resolution inquiring "who has inserted pencil amendments in the place of the amounts fixed by the Committee on Appropriation for Public Printing and the State's Prison North," and the House has instructed me respectfully to report to the Senate that said amounts were placed there by the unanimous consent of the House, and placed upon the bill through mistake in "pencil mark" by the reading Clerk of the House, in the absence of the Principal Clerk, and the bill is herewith very respectfully returned to the Senate for their action.

I am also directed by the Speaker of the House of Representatives to inform the Senate that he has signed the following Enrolled Acts of the House, to-wit:

No. 262. An act to amend sections two and six of an act entitled "an act to incorporate the Widows' and Orphans' Asylum of Indianapolis."

No. 316. An act to protect and indemnify officers and soldiers of the United States, and officers and soldiers of the Indiana Legion for acts done in the military service of the United States and State of Indiana.

Also, the following Enrolled Act of the Senate, to-wit:

Senate bill No 191. An act supplemental to an act entitled "an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes."

And that the House has passed without amendment Engrossed Senate bill No. 28, to-wit:

An act to amend section 18 of an act entitled "an act prescribing the powers and duties of Justices of the Peace in State prosecutions."

A message from the Governor by John M. Commons, his Private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform your honorable body that he has approved and signed Enrolled Act No. 191:

An act supplemental to an act entitled "an act for the incorporation of manufacturing and mining companies and companies for mechanical, chemical, and building purposes, approved May 20, 1852, and providing that charters of existing companies shall not be forfeited for acts done prior to February 1, 1857," and that the same has been deposited in the office of the Secretary of State.

Mr. Houghton moved to suspend the order of business and take up

House bill No. 286. A bill providing for the erection of a suitable building for the use of the Supreme Court and State Officers, for bor-

rowing money from the Sinking Fund therefor, and securing the repayment of the same, making certain regulations touching the Law Library, and authorizing the Judges of the Supreme Court to rent rooms for their accommodation until such building is completed.

Which was agreed to, and the bill was read a third time.

Pending the question on the passage of the bill,

On motion by Mr. Richmond, the Senate adjourned.

FRIDAY MORNING, 9 o'clock, }
 March 8, 1867. }

The Senate met.

On motion by Mr. Parrish, the reading of the Journal was dispensed with.

On motion by Mr. Cullen, a call of the Senate was ordered.

The Secretary proceeded with the call, and

The following Senators answered to their names :

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Houghton, Hawk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Robinson, Smith, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—41.

On motion by Mr. Cullen, further proceedings under the call was then dispensed with.

Pending the call,

Mr. Cason asked and obtained leave of absence for Mr. Reagan.

The Senate resumed the consideration of House bill No. 286, pending at adjournment on yesterday.

The question then being shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bonham, Bowman, Brown, Cason, Cravens, Church, Cullen, English, Gifford, Houghton, Hawk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Robinson, Smith, Stein, Terry, Thompson, Ward, Wolcott and Mr. President—37.

Those who voted in the negative were,

Messrs. Bennett, Carson, Mason, Richmond, Taggart, and Turner
—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

REPORTS OF STANDING COMMITTEES.

Mr. Cullen, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred House bill No. 243, "a bill prescribing the manner in which railroad corporations within or without this State, prescribing penalties for the violation of this act, and declaring an emergency therefor," have had the same under consideration and direct me to report the same back with the following amendments :

Strike out all of section first of said act, and in section second, line one, strike out the words "in case any such," and insert the following : "Whenever any railroad," and insert the enacting clause before section second, and when so amended recommend its passage.

Which report was concurred in, and the amendments adopted.

House bill No. 212, contained in the foregoing report, was read a first time and passed to a second reading on to-morrow.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred House bill No. 212, a bill to repeal a portion of the forty-first section of an act entitled, "an act to repeal all general laws now in force, for the incorporation of cities, providing for the incorporation of cities, prescribing their rights, powers and duties, and the manner in which they shall exercise the same, and regulating other matters connected

therewith, and repealing certain acts therein specified, approved Dec. 20, 1865, have had the same under consideration and direct me to report that the bill be laid upon the table.

Which report was concurred in.

Mr. Church, from the Committee on Phraseology, Arrangement of Bills, and Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Phraseology, Arrangement of Bills, and Enrolled Bills, have examined Enrolled Senate bill No. 28, a bill to amend section 18 of an act entitled, an act prescribing the powers and duties of Justices of the Peace, in State proceedings, and find the same carefully and correctly enrolled.

Which report was concurred in.

Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 234, "an act legalizing the appointment of guardians for persons of unsound mind," report that the bill seems designed wholly to have a retrospective effect, which may prejudice private rights, without the injured party have an opportunity to be heard.

The Committee are of opinion that such legislation should be adopted only in cases where it clearly appears that the ends of justice will be promoted. While there may be some isolated case as to which the act would be unobjectionable, there may be others in which its operation would be most unjust.

The Committee therefore recommend that the bill be indefinitely postponed.

Which report was concurred in, and the bill was indefinitely postponed.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Cason offered the following resolution :

Resolved, That the Committee on Enrolled Bills and Phraseology
S. J.—54.

have leave to file their reports with the Secretary, unless there should be some correction made in the bill being reported.

Which resolution was adopted.

Mr. Bellamy, from the Committee on Phraseology and Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills have carefully examined Enrolled Senate act No. 70, "an act to amend section 57 of an act for the incorporation of cities, approved December 20, 1865, authorizing subscriptions and donations to aid in the construction of plank roads, macadamized roads, slack water navigation, and railroads running into or through such cities, prescribing the manner in which such subscriptions and donations may be made, and for the enforcement thereof," and they find the same neatly and correctly enrolled and ready for signature.

Mr. Cravens, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred House bill No. 19, "a bill to regulate and make uniform the prices charged by railroad companies for transporting goods, merchandise and material to and from stations on railroads in this State, have had the same under consideration and direct me to report it back and recommend that section one, line twenty-nine, be amended by striking out the word "fifteen" and insert "twenty-five," and when so amended recommend its passage.

Which report was concurred in and the amendments adopted.

Mr. Noyes, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claim of Douglass & Connor, for various articles furnished O. M. Wilson, for the use of the Senate, and one thousand orders for stationery fur-

nished the Librarian, amounting to seventy-nine dollars, have had the same under consideration, and have directed me to report the same back to the Senate and recommend that it be referred to the Committee on Finance and allowed.

Which report was concurred in.

Mr. Noyes, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the claim of James Nelson, for services as witness before the Committee on Canals and Internal Improvements, have had the same under consideration, and have directed me to report the same back to the Senate and recommend that it be referred to the Committee on Finance and that he be allowed twenty dollars, and that R. M. Hanna be allowed fifteen dollars for similar services.

Which report was concurred in.

Mr. Noyes, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the claim of Nicholas Sherling, for three days service at the special session in 1865, have had the same under consideration, and have directed me to report it back to the Senate and recommend that it be referred to the Committee on Finance and allowed.

Which report was concurred in.

Mr. Huffman, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the claim of John Colter, have had the same under consideration, and beg leave to report the same back to the Senate and recommend that it lay on the table.

Which report was concurred in.

Mr. Huffman, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claim of Eli Bruner, for repairs of State House, have had the same under consideration, beg leave to report the same back to the Senate, and recommend that said claim be referred to the Committee on Finance, and that the sum of twenty-five dollars be paid.

Which report was concurred in.

Mr. Huffman, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claim of Elijah Hasket, have had the same under consideration, and beg leave to report the same back to the Senate and recommend that the same be laid on the table.

Which report was concurred in.

Mr. Huffman, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claim of Douglass & Connor, claiming \$578.76 for Daily Journals furnished to members of the Senate, have had the same under consideration, and direct me to report the same back to the Senate and recommend that said claim be referred to the Committee on Finance, and that the same be paid.

Which report was concurred in.

Mr. Huffman from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claim of Julius

Boetticher, claiming one hundred and five dollars and sixty cents for one hundred and sixty-five copies of the *Volksblatt* to members of the Senate, have had the same under consideration and direct me to report the same back to the Senate and recommend the same to the Committee on Finance, and that the claim be paid.

Which report was concurred in.

Mr. Church, Chairman of the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims have examined the Claim of the First National Bank of Indianapolis, and direct me to report, recommending that the same be referred to the Committee on Finance and allowed.

Which report was concurred in.

Mr. Niles, from the Committee on Phraseology and Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills, report back Senate bill No. 161, having carefully compared the same and find it correctly enrolled.

Which report was concurred in.

By consent of the Senate, Mr. Stein offered the following resolution :

Resolved, That during the balance of the present session, no Senator shall speak longer than five minutes on any question, without leave of the Senate.

The question being, shall the resolution be adopted ?

The ayes and noes were demanded by Messrs. Cullen and Oyler.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bonham, Bowman, Brown, Cason, Church, Cravens, Cullen, English, Gifford, Howk, Huey, Huff-

man, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Robinson, Smith, Stein, Terry, Thompson, Ward, Wolcott and Mr. President—38.

Messrs. Carson and Houghton voting in the negative.

So the resolution was adopted.

On motion by Mr. Bennett, the following message from the House was taken up.

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House has passed Senate bill No. 2, "a bill to provide for a registration of voters," to which the House has attached the accompanying engrossed amendments, in the passage of which the concurrence of the Senate is respectfully requested.

Engrossed amendments to Senate bill No. 2.

Section 1. That it shall be the duty of the Board of County Commissioners in each county of this State, at their June session in the year 1867, and thereafter, whenever required for the convenience of the voters, to divide their respective counties into voting precincts, and number the same for State, county, township and Presidential elections, defining the boundaries of each precinct, so that they may be easily known; fixing and designating one place and no more, for voting in each precinct, which voting precincts shall conform to the civil townships, except when the convenience and number of inhabitants in any township will, in the opinion of the Commissioners, require the township to be divided into two or more voting precincts, in which case, the boundaries of each precinct shall be given.

Section 2. It shall be the duty of the Common Councils of each incorporate city in this State, in like manner, as soon as practicable, after the passage of this act, to divide their cities into voting precincts, conforming as nearly as possible to the wards of such cities.

Section 3. The Board of Commissioners of each county, and the Common Councils of each city, as soon as they have complied with the requirements of the first and second sections of this act, shall ap-

point a Board of Registers for each precinct, representing as nearly as practicable the different political parties there existing, a majority of whom shall constitute a quorum.

Section 4. Such Registers before entering on their duties, shall each take an oath to faithfully and honestly discharge their duties as such Registers according to law, and they may swear each other in the same manner as is now provided in case of Board of Elections, and in like manner fill all vacancies in case any member fails to attend.

Sec. 5. Each Board of Registers shall meet at the place designated in its voting precinct, on the first Monday in August, in each year after the passage of this act, and in case any of the Board shall fail to appear and enter upon the discharge of his duties, the voters may select the Board as now provided for the selection of a Board of Election, which Board shall proceed to make a complete register of voters in such precinct, arranging the list in alphabetical order, designating, in a column opposite each name, the place of residence of each voter, so that it can be easily ascertained therefrom; said Board shall not register the name of any voter, unless some one of said Board will swear that such voter is a *bone fide* resident of, and is therefore entitled to vote in said precinct, or unless upon the sworn statement, to like effect, of said voter, or some other voter in said precinct; said Board shall continue in session from day to day, not to exceed three days, until said list shall be completed, beginning their session at 8 o'clock A. M., and close at 6 o'clock P. M.

Sec. 6. The list of voters alphabetically arranged by said Board, shall, as soon as completed, be published in a weekly newspaper published in the county, if there be one, or by posting the same up at the place of voting in the precinct; the posting, or publication, shall be at least sixty days before each general election.

Sec. 7. Each Board of Registers shall meet at the voting place of its precinct, three weeks after the publication or posting of said list, for the purpose of correcting the same, by adding any name omitted that should have been registered, or striking off any name wrongfully registered, or the name of any one not then a voter in such precinct, vacancies to be filled as in the first instance.

Sec. 8. Any voter who may apply to be registered, and shall be refused by such Board, shall have the right to an appeal to the Circuit or Common Pleas Court of the county, and any other voter of the precinct shall have a like appeal, whenever the Board register any person whom he may claim is not a voter of said precinct; in case of an appeal from refusal to register, as aforesaid, the style of the case shall be in the name of the person appealing against said Board; in case of an appeal from an improper registry, as aforesaid, the style of the case shall be in the name of the person appealing against the voter registered; the costs in each case shall be determined as in other cases, except when the appeal is against the Board and is determined in favor of the appellant, then the costs shall be paid by the county.

Sec. 9. After the first list of voters taken under this act shall have been completed, the lists thereafter shall each year be made up from the old lists, on the first Monday of August, by striking from said lists the names of such persons as have died or moved out of said precinct, and adding the names of such as have moved into said precinct, or have not been registered, but no name shall be stricken from said lists, or added thereto, except on such evidence as is required to register the names in the first instance.

Sec. 10. When the list of registered voters is completed, the members of said Board shall attach their affidavits thereto that the same contains a full and complete register of all the voters of said precinct, so far as they have legal knowledge; that they have left off the name of no one who, in their knowledge or opinion, upon the evidence hereinbefore required, should have been registered; and that they have not registered any name on said registry without the knowledge on their part, or the evidence heard by them as required by this act; and make four copies thereof, one to be posted at the place of voting in said precinct, one to be kept by the President of said Board, to be selected by said Board, and one to be deposited with the Township Trustee, and one with the County Clerk; all of which shall be at all times, open for the inspection of any voter, free of charge.

Sec. 11. After the completion of said registry of voters, the same may be published again in a weekly newspaper of said county, at a cost of not more than two cents for each name, to be paid by the

county, and in case of the publication of the entire list of each county, the same shall be posted up at the voting place of each precinct, at least thirty days before any general election.

Sec. 12. The list of registered voters kept by the Township Trustee shall be delivered to the Inspector, or a Judge of the Board of Elections of the precinct, before, or as soon as such Board of Elections is organized, and said Board of Elections shall not receive any ballot from any voter unless his name is duly registered on said list, except as hereinafter provided; and said Board of Elections, before depositing any ballot in the box, shall examine the registry list, and if the name of the voter shall appear thereon they shall check the same with an appropriate mark, and if the vote is not challenged shall enter the same on the poll list, and deposit the ballot in the box.

Sec. 13. Any voter duly registered shall be entitled to vote, unless he shall be challenged, but the Board may examine such witnesses as they may deem proper to determine the fact, and receive or reject the vote, as the facts may warrant.

Sec. 14. Any one claiming the right to vote, who has not been registered, may be allowed to vote by presenting to the Board of Elections his own and the affidavits of two registered voters of said precinct that such voter is a *bona fide* resident of said precinct, specifically designating the place of his residence, which affidavits shall be filed with the Board, and his name registered and vote received, subject to the same rule governing registered voters; said affidavits shall be returned with the poll-list, and filed in the office of the Clerk of the Circuit Court of the county.

Sec. 15. The list of registered voters shall be left open to the inspection of the public, and any voter of the precinct shall have the right and privilege to examine the same, and the registry shall be kept by the President of the Board of Registry until the day of election, and then delivered to the Inspector of Elections of the precinct.

Sec. 16. Any person making oath under any of the provisions of this act, who shall swear falsely, shall be deemed guilty of perjury, and, on conviction, shall be imprisoned in the State Prison for not less than three years, nor more than ten years, and be fined in any sum not to exceed one thousand dollars, and disfranchised, and rendered incapable of holding any office of profit or trust for not less than five nor more than fifteen years.

Sec. 17. Any person who shall falsely represent that he is the person registered, by any name designated on the registry, for the purpose of voting, or offering to vote, or who shall vote, under or by said name, when he is not the identical person so registered, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in the State Prison for not more than three years, and not less than one year, and fined not exceeding five hundred dollars, and disfranchised and rendered incapable of holding any office of profit or trust for fifteen years.

Sec. 18. Any member of a Board of Registry, who shall knowingly place the name of any one on the registry list who is not at the time a resident and voter of the precinct in which he is registered, or who shall refuse to carry out the provisions of section fifteen of this act, shall be deemed guilty of a felony, and, on conviction, shall be imprisoned in the State Prison not less than three months, nor more than two years, and be fined in any sum not to exceed one hundred dollars, and disfranchised and rendered incapable of holding any office of profit or trust for ten years.

Sec. 19. Any person procuring his own name, or the name of any other person, to be registered, when he, or such other person, is not legally entitled to vote in said precinct, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in the State Prison not more than two years, nor less than three months, and disfranchised, and rendered incapable of holding any office of profit or trust for ten years.

Sec. 20. Any person who shall offer to register his name, or the name of any other person, as a voter in any precinct, knowing that he, or such other person, is not legally entitled to vote in said precinct, at the time of said offer to register, shall be deemed guilty of a felony, and, on conviction, shall be fined not exceeding one thousand dollars, and imprisoned in the county jail not to exceed three months, and disfranchised, and rendered incapable of holding any office of trust or profit for five years.

Sec. 21. Any person who shall procure his own name, or the name of any one else, to be registered in more than one precinct, or more than once in any precinct, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in the State Prison, not less

than three years, nor more than ten years, and fined not exceeding one thousand dollars, and disfranchised, and rendered incapable of holding any office of trust or profit for fifteen years.

Sec. 22. The Board of Registers shall be paid for their services the same amount and in the same manner that the Board of Elections are now paid.

Sec. 23. That all ballots which may be cast at any election hereafter held in this State, shall be written or printed on plain white paper.

Sec. 24. No person shall be considered, under any circumstances, as having a residence in any ward, or election district or precinct, unless he shall have had a permanent abode therein for at least forty days immediately preceding any election in such ward, precinct, or district at which such person shall offer to vote.

Sec. 25. The Auditor shall, as soon as possible after the passage of this act, have the same published in pamphlet form, with necessary instructions, and forms to carry the same into force and effect, and shall transmit the same to the Clerks of the several counties; also make and transfer to the said Clerks the necessary rolls and forms to make said registry as now provided in case of elections.

Sec. 26. All laws, or parts of laws, inconsistent with the provisions of this act, are hereby repealed.

Sec. 27. There is an emergency existing for the immediate taking effect of this act. It shall therefore be in force from and after its passage.

On motion by Mr. Stein, the Senate resolved itself into a Committee of the whole Senate, Mr. Cravens in the Chair, with the foregoing message under consideration.

After sometime spent in the consideration of the engrossed amendments of the House contained in the foregoing message from the House, the Committee rose, and through its Chairman made the following report:

MR. PRESIDENT :

The Committee of the whole Senate, to which was referred Senate bill No. 2, a bill to provide for the register of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and the form of the ballots, and providing compensation for services of such officers, and the House engrossed amendments thereto, have had the same under consideration, and have directed to return the bill and amendments to the Senate, with the recommendation that the Senate disagree to the proposed amendments of the House, and ask the appointment of a Committee of Free Conference to consider the differences between the Houses, and the Committee ask to be discharged from the consideration of the subject.

Which report was concurred in.

On motion by Mr. Bennett, the Senate disagreed to the engrossed amendments of the House to Senate bill No. 2, and asked for the appointment of a Committee of Free Conference.

The President appointed Messrs. Bennett, Howk, and Church said Committee on the part of the Senate.

MESSAGE FROM THE GOVERNOR.

A message from the Governor, by John M. Commons, his Private Secretary :

MR. PRESIDENT :

I am directed by the Governor to inform your honorable body that he has approved and signed enrolled act No. 161, an act to establish a House of Refuge for the correction and reformation of juvenile offenders, and that the same has been deposited in the office of the Secretary of State.

A message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives to inform the Senate, that he has signed the following Enrolled Acts of the House and Senate, to-wit:

House bill No. 15. An act to carry out the provisions of an act entitled "an act to create a State Normal School, and declaring an emergency," approved December 20, 1865, and to appropriate the funds necessary for the erection of the State Normal School, and providing from what funds the same shall be taken and appropriated.

House bill No. 105. An act to amend section five of an act entitled "an act providing for an organization of Circuit Courts, the election of Judges thereof, defining their powers and duties, approved June 1, 1852, and providing for Criminal and Civil Circuit Courts.

Senate bill No. 13. An act to authorize, and provide for changes of venue in civil actions in certain cases.

A message from the House, by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT:

I am directed to inform the Senate, that the Speaker has signed Enrolled Senate Acts Nos. 28 and 70 and 161, and that in accordance with the request of the Senate the House has agreed to the formation of a Free Conference Committee on Senate bill No. 2, and that Messrs. Higgins, Ross and Miller have been appointed on such Committee on the part of the House.

On motion by Mr. Church, the order of business was suspended, and,

House bill No. 244. A bill districting the State for Judicial Circuits, and providing that Judges and Prosecuting Attorneys of Circuits, as heretofore existing, shall be Judges and Prosecuting Attorneys in the Circuits in which the county where they reside is situate under this act, and providing for filling vacancies in said offices, and the report of the Select Committee thereon, and the amendments reported by said Select Committee thereto,

Were taken up.

The question then being on the adoption of the second amendment reported by the Committee,

Mr. Stein moved that the amendment be laid on the table.

The ayes and noes were demanded by Messrs. Johnson and Oyler.

Those who voted in the affirmative were,

Messrs. Bennett, Bowman, Brown, Cason, Carson, Church, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Jaquess, Lee, Milligan, Newlin, Niles, Parrish, Rice, Robinson, Smith, Stein, Taggart, Turner, and Mr. President—26.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Houghton, Hyatt, Johnson, Lewis, Oyler, Reagan, Reynolds, Thompson, and Ward—11.

So the amendment was laid on the table.

The third amendment reported by the Select Committee.
Was adopted.

The fourth amendment was adopted.

The fifth amendment was adopted.

The question being on the adoption of the sixth amendment reported by the Committee.

It was agreed to.

Mr. Oyler moved to concur in the report of the Select Committee, with the following additional amendment :

Amend by striking out of the seventeenth section the words "and Johnson," and insert the word "and" before the word "Bartholomew" in the same section. And to further amend by adding the word "Johnson" to the fifth section.

Mr. Lee moved to lay the motion to amend on the table.

The ayes and noes were demanded by Messrs. Oyler and Bellamy.

Those who voted in the affirmative were,

Messrs. Bennett, Bowman, Carson, Church, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Johnson, Lee, Mason, Milligan, Newlin, Niles, Smith, Stein, Taggart, Turner, Ward, and Wolcott—23.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Brown, Cason, Cravens, Houghton, Hyatt, Jaquess, Lewis, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Terry, Thompson, and Mr. President—19.

So the motion was laid on the table.

The report was then concurred in.

Mr. Stein moved to reconsider the vote by which the first and fourth amendments to the bill aforesaid were concurred.

It was agreed to.

Mr. Cason moved to amend as follows :

By striking the words "Warren and" from the nineteenth section in original bill, and changing the word "counties" in said section, into the word "county," and by adding the words "and Warren" after the word "Montgomery" in the eighth section of the original bill.

Which was agreed to.

The bill was then read a third time.

The question then being, shall the bill pass ?

Mr. Bennett demanded the previous question.

Which was seconded by the Senate.

The question being, shall the main question be now put ?

It was agreed to.

The question then being, shall the pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Bowman, Cason, Carson, Church, Cullen, English, Gifford, Howk, Huey, Huffman, Humphreys, Lee, Milligan, Newlin, Niles, Reagan, Reynolds, Rice, Richmond, Smith, Stein, Taggart, Thompson, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Bellamy, Brown, Cravens, Houghton, Hyatt, Johnson, Lewis, Oyler, Parrish, Robinson, Terry, Turner, and Ward—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Oyler presented the following protest :

The undersigned Senators respectfully and earnestly protest against the passage of House bill No. 244, as amended by the Senate, for the following reasons :

1. Because the only reason that could justify a change of the Judicial Circuits so as to increase in so large a degree as this bill does, the number of Circuits, and as a necessary consequence, a greatly increased charge upon the public treasury, is that of public necessity ; and to afford to all the people of the State adequate facilities for the disposal of the litigation of the various counties ; that to effect this end, if a general rearrangement were desirable or necessary, the only honest and fair way of doing so would be by arranging the Circuits so that the population and the business of the several counties could be fairly and properly apportioned, by approximating in some slight degree to an equality in the several Circuits.

The most, if not all of the over-burthened Circuits, had been relieved of the pressure of business upon them by the legislation of this General Assembly, and hence if any necessity existed for the proposed increase of Circuits, that had been removed by the action of the General Assembly.

2. The bill, as it passed the Senate, in place of removing existing inequalities, has, in violation of every principle of right and justice, not only continued such inequalities, but increased them in many instances, and some to greater extent than ever before ; in proof of which, we present the large disparity of some of the Circuits. The — Circuit is composed of the counties of Posey, Vanderburg, Warrick, Spencer, Perry and Crawford, with a population of one hundred and ten thousand, while the Nineteenth Circuit of but one county, that of Tippecanoe, with a population of thirty-five thousand ; and to add to this great wrong, the county of Tippecanoe has already been provided with a Criminal Circuit Court, composed of that county alone, thus providing for two Circuit Judges and Prosecuting Attorneys for the county of Tippecanoe alone, at an annual expense to the State of five thousand dollars:

Under the bill the Senatorial District composed of the counties of Morgan and Johnson, with a population of thirty-five thousand,

equaling that of the Senatorial District of Tippecanoe, receive out of the State Treasury for the payment of Circuit Judges and Prosecuting Attorneys not exceeding the sum of nine hundred dollars per year, while the charges upon the State Treasury for the same purpose for the county of Tippecanoe is five thousand dollars per year.

The above are referred to as illustrations of the gross inequalities of the bill; which in many instances, other than those referred to, are manifestly unequal and unjust, to such an extent as to justify the suspicion that the bill must have been framed for the purpose of erecting pet Circuits, in violation of the rights of other parts of the State.

If the bill should become a law, while some portions of the State will have increased facilities in their Circuit Courts, other portions are not aided, and in some instances diminished by this bill; while the expenses of the Judiciary, and their charges upon the State, are largely increased.

For these reasons, we protest against the passage of the bill.

SAMUEL P. OYLER,

Johnson and Morgan.

MILTON S. ROBINSON,

Madison and Grant.

FLAVINS J. BELLAMY,

Switzerland and Ohio.

ABNER LEWIS,

Lagrange and Elkhart.

SAMUEL F. JOHNSON,

Warrick, Spencer and Perry.

WM. HYATT,

Ripley.

AARON HOUGHTON,

Martin.

THOS. WARD,

Randolph.

S. S. TERRY,

Fulton.

DANIEL R. BROWN,

Hamilton.

On motion by Mr. Johnson, the Senate adjourned.

TWO O'CLOCK P. M.

The Senate met.

A MESSAGE FROM THE GOVERNOR.

The following message from the Governor was taken up :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 8, 1867.

To the Senate :

In pursuance of an act approved March 8, 1867, entitled "An act to establish a House of Refuge for the correction of and reformation of juvenile offenders," I hereby appoint, subject to the approval of the Senate, the following named persons Commissioners of said House of Refuge for the following named terms, viz :

Charles F. Coffin, of Wayne county, for the term of six years.

Alexander C. Downey, of Ohio county, for the term of four years.

Joseph Orr, of Laporte county, for the term of two years.

CONRAD BAKER.

Mr. Niles offered the following resolution :

Resolved, That the Senate does hereby advise, consent to and approve the nominations by the Governor, of Joseph Orr, Alexander C. Downey, and Charles F. Coffin as Commissioners of the House of Refuge.

Which was unanimously adopted.

Mr. Thompson, from the Committee on Prisons, made the following report :

MR. PRESIDENT :

The Committee, to whom was referred Senate bill No. 241, "A bill to authorize the Directors of the State Prison at Jeffersonville to contract the convict labor of said Prison, and prescribing the terms and conditions of the contract," have had the same under consideration,

and have directed me to report the same back to the Senate, and with the accompanying amendments recommend its passage.

Which report was concurred in, and the amendments adopted.

Senate bill No. 241, contained in the foregoing report, was read a second time.

Mr. Niles moved to amend the bill by striking out the words "and Directors," and by inserting after the word "authorized" the words "with the consent of the Governor."

Which was agreed to.

Mr. Wolcott moved that the rules be suspended, and the bill read a third time now.

Mr. Cullen moved to lay the motion and the bill on the table.

The ayes and noes were demanded by Messrs. Bennett and Cullen.

Those who voted in the affirmative were,

Messrs. Bennett Bowman, Brown, Cason, Cullen, English, Gifford, Hanna, Hawk, Huffman, Hyatt, Mason, Newlin, Oyler, Rice, Richmond, Smith, Taggart, and Terry—19.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Carson, Church, Cravens, Houghton, Huey, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Parrish, Reagan, Reynolds, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—23.

So the motion and the bill were not laid on the table.

The question recurring on the motion to suspend the rules and read the bill a third time now.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Carson, Church, Cravens, Houghton, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Parrish, Reynolds, Rice, Robinson, Stein, Ward, Wolcott, and Mr. President—21.

These who voted in the negative were,

Messrs. Bennett, Bowman, Brown, Cason, Cullen, English, Gifford, Hanna, Howk, Huey, Huffman, Mason, Newlin, Oyler, Reagan, Richmond, Smith, Taggart, Terry, and Thompson—20.

So the rules were not suspended.

The bill was then ordered to be engrossed for a third reading on tomorrow.

Mr. Richmond, from the Committee on State Prisons, made the following minority report :

MR. PRESIDENT :

The minority of the Committee on State Prisons, to whom was referred Senate bill No. 243, "A bill to authorize the Governor, Auditor, Treasurer, and Secretary of State to contract the labor of the State Prison of Indiana, and prescribing terms and conditions in reference thereto," have had the same under consideration, and report the bill back to the Senate and recommend the passage of the same.

Which report was laid on the table.

A message from the Governor, by John M. Commons, his Private Secretary.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate, that he has approved and signed Enrolled Act No. 13, "an act to authorize and provide for changes of venue in civil actions in certain cases."

Also, Enrolled Act No. 28, "an act to amend section eighteen of an act entitled "an act prescribing the powers and duties of Justices of the Peace in State prosecutions.

Also, Enrolled Act No. 70. "An act to amend section fifty-seven of "an act for the incorporation of cities, approved December 20, 1865, authorizing subscriptions and donations to aid in the construction of plank roads, macadamized roads, slack water navigation, and railroads running into or through such cities, prescribing the

manner in which such subscriptions and donations may be made, and for the enforcement thereof," and that the same have been deposited in the Secretary of State.

ORDERS OF THE DAY.

HOUSE BILLS ON SECOND READING.

House bill No. 19. A bill to regulate and make uniform the prices charged by railroad companies for transporting goods, merchandize, and material to and from stations on railroads in this State.

Was read a second time, and referred to the Committee on Corporations.

House bill No. 23. A bill to enable the owners of wet lands to drain and reclaim them, where the same cannot be done without affecting the lands of others, prescribing the powers and duties of County Boards and County Auditors in the premises, and repealing all laws inconsistent therewith.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 48. "A bill in relation to the change of public highways."

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 89. "A bill to provide for the construction of sewers within incorporated towns, defining the powers and duties of Town Trustees in relation," and to repeal all laws in conflict therewith.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 145. A bill to amend the seventh clause of section twenty-two of an act entitled, "an act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 11, 1852.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 191. "A bill to amend section 650 of article thirty-six of an act to revise, simplify, and abridge the rules, practice pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a second time, and passed to a third reading on to-morrow.

On motion by Mr. Carson, the order of business was suspended, and

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representative to inform the Senate, that the House has passed the following Engrossed Senate Bills, to-wit :

No. 37. A bill to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matter as properly pertains thereto,

To which the House has attached the following Engrossed Amendments, in which the concurrence of the Senate is respectfully requested.

Engrossed House amendments to Senate bill No. 37.

Amend as follows, to-wit :

Strike out all of section eight, and insert the following in lieu thereof :

Sec. 8. The officers of such city shall consist of a Mayor, two Councilmen from each ward, a City Clerk, Assessor, Treasurer, Civil Engineer, Street Commissioner and Marshall, and if the Common Council deem it expedient, for the best interest of the city, a City Attorney and City Judge. The City Attorney, Street Commissioner and Civil Engineer, shall be appointed by the Council: *Provided*, That the Common Council may dispense with the Street Commis-

sioner and require the Marshall to perform his duties, and such officers shall hold their respective offices for two years, and until their successors are elected and qualified, except as herein provided.

After the first general election on the first Tuesday in May, said officers shall respectively hold their offices as follows, to-wit:

The Mayor, City Judge, Clerk, Assessor, Marshall and Treasurer, two years each. The City Attorney, Street Commissioner and Civil Engineer, two years each, subject to removal by said Common Council at their pleasure, and the Councilmen shall be chosen by the legal voters of their respective wards and one Councilman from each ward, to be determined by lot, at the first regular meeting after their election, shall hold his office one year, and the other to be determined in like manner shall hold his office two years, and annually thereafter one Councilman shall be elected by the legal voters of each ward, and all of said officers shall hold their respective offices during their respective terms and until their successors are elected and qualified.

The said Clerk, Assessor, Treasurer and Marshall, with the consent of the Common Council, may appoint one or more deputies when necessary: *Provided further*, That the Common Council of any city governed by the provisions of this act, may order the election of an Auditor who shall be elected as other City officers are elected, and shall hold his office for two years and until his successor is elected and qualified, and when so elected the common Council shall, by ordinance, provide for his qualification, powers and duties which shall in no measure conflict with the provisions of this act: *And provided further*, That no person shall hold the office of Councilman, unless he is a resident of the ward from which he is elected, and in case of the removal of any Councilman from the ward from which he was elected, the Common Council shall have power to declare the office vacant and order a special election to fill such vacancy.

Add to chapter seven, section thirty, after the word "costs" on the last line thereof, the following words, to-wit:

"The City Attorney shall be allowed a docket fee in cases in the Circuit Court or Court of Common Pleas on appeal upon a plea of not guilty, five dollars."

Add to section eighteen, after the word "cost" in the last line thereof, the following words, to-wit:

"The Mayor or City Judge shall draw no salary from the City Treasury, until he shall have filed with the City Clerk or Auditor, a

relinquishment and transfer to such city of all taxable fees allowed him by law in cases cognizable before him for alleged violation of the ordinance or by-laws of such city."

Also amend said section by adding thereto, the following words:

"In any city containing a population of less than ten thousand, the Mayor may at any time, with the consent of the Common Council, deposit his docket with any Justice of the Peace in such city, who shall thereupon act as and have all the judicial powers and authority of such Mayor, during such time as the Mayor may continue such docket in the hands of such Justice."

Add to section twenty-six the following provision, to-wit:

"*Provided however*, That instead of adopting as the basis of the assessment of taxes upon the real estate in any city as provided in this section, the Common Council of any City may by ordinance, order and direct any appraisement of the real and personal property within the limits of such city to be made, and provide that such appraisement shall be the basis of the assessment of taxes upon such real estate for any year, anything in this section to the contrary notwithstanding."

Strike out of second clause of section 53 the words "State and county, or," in the 15th and 16th lines of said clause of said act.

After the last line of section 53 add the following, viz: "Forty-seventh. The Common Council of any city may, upon the petition of a majority of the legal voters of such city, sell any public square of such city, or any part thereof, and convey the same by deed under the hand of the Mayor and seal of such city; and any moneys arising from any such sale shall be deposited in the treasury of such city, to be expended in the purchase of another public square and for the improvement of the same.

"Forty-Eighth. To compel the city School Trustee, or Trustees, to make report to the Common Council.

"Forty-Ninth. To exempt an amount of real property owned by any resident householder of said city, not exceeding three hundred dollars in value, from sale for street improvements.

"Fiftieth. To punish contempts and contemptuous and disorderly demeanor in the Council room.

"Fifty-First. To provide on what terms real estate in such city

may be drained by means of surface or under drains over and across other real estate therein."

Add to the word "hundred," in the 13th line of section 51, the words "and fifty;" and strike out of said section all of said section after the word "member," in the 15th line of said section.

Add to section 58, after the word city, in the last line of said section, the following words, to-wit: "There may also be levied and collected annually an additional tax to pay the whole interest of the public debt due from said city."

Add to the twenty-second clause of section 53, after the word "matter," the following words, to-wit: "The Common Council shall have the right to collect the expenses of removing any such unwholesome substance as putrid animal or vegetable matter from the person found guilty of a violation of the provisions of the ordinance of such city in relation thereto, with ten per cent. damages thereon and cost of suit."

Amend by adding to section 68 the following: "*Provided further,* That when the State of Indiana is the owner of property on or along the street or streets proposed to be improved as hereinbefore provided, the Common Council shall not contract for the execution of said improvement involving the State in any liability, without first obtaining the written consent and approval of the Auditor and Treasurer of State, but such city may make such improvement at its own expense."

On motion by Mr. Carson, the amendments of the House contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

Mr. Houghton, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred House bill No. 348, "a bill making general appropriations for the years 1867 and 1868, defining the salaries and official tenure of certain officers, repealing certain laws therein named, and declaring an emergency," have had the same under consideration, and direct me to report it back to the Senate recommending the passage of the same with the following amendments:

In the 17th line of the 3d section, strike out the word "twelve" and insert the word "fifteen."

In the 19th line of the 3d section, strike out the word "each."

After the word "dollars," in the 7th line of the 21st section, insert the words "for finishing the back center building, designed for bakery, laundry, chapel, and serving room, five thousand dollars."

In the 21st line of the 34th section, strike out the word "twelve," and insert the word "fifteen."

Mr. Bennett moved to further amend as follows :

Strike out the word "five," where it occurs in reference to the Governor's Private Secretary, and insert the word "ten."

Which was adopted.

Mr. Parrish moved to amend section 28, so that it shall read as follows :

"And the Auditor of State is hereby authorized to draw his warrant on the Treasurer of State for said sum of three thousand dollars, payable to the Treasurer of the State Board of Agriculture ; and for said sum of five hundred dollars, payable to the Treasurer of said State Horticultural Society : *Provided*, That the said sums of money shall be expended for the printing of said reports, or so much thereof as may be necessary, and for no other purpose whatsoever."

Mr. Bennett moved to amend the amendment of Mr. Parrish as follows :

"No portion of said money shall be paid to said Public Printer until all of said reports required to be printed by said Societies have been completed ; and said printing shall be done within three months after the same is ordered by the Board of Agriculture."

Mr. Turner moved to lay the amendment to the amendment on the table.

The ayes and noes were demanded by Messrs Turner and Cullen.

Those who voted in the affirmative were,

Messrs. Bowman, Carson, Cravens, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Johnson, Lee, Lewis, Mason,

Milligan, Newlin, Niles, Parrish, Reagan, Robinson, Sherrod, Smith, Taggart, and Turner—24.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cullen, Hyatt, Jaquess, Oyler, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—19.

So the amendment to the amendment was laid on the table.

The question then being on the adoption of the amendment,

The ayes and noes were demanded by Messrs. Turner and Oyler.

Those who voted in the affirmative were,

Messrs. Armstrong, Bowman, Cason, Cravens, English, Gifford, Hanna, Houghton, Howk, Huey, Huffinan, Hyatt, Johnson, Lee, Mason, Milligan, Newlin, Niles, Parrish, Reagan, Reynolds, Rice, Robinson, Sherrod, Smith, Stein, Taggart, Turner, Ward, and Wolcott—30.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Brown, Cason, Church, Cullen, Jaquess, Lewis, Oyler, Richmond, Terry, Thompson, and Mr. President—13.

So the amendment was adopted.

The report of the Committee was then concurred in.

Mr. Cason moved that the rules be suspended, and the bill read a second and third times now.

The ayes and nays being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, Cason, Carson, Church, Cravens, English, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lewis, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Smith, Stein, Taggart, Turner, Ward, Wolcott, and Mr. President—33.

Those who voted in the negative were,

Messrs. Bennett, Cullen, Hanna, Lee, Mason, Newlin, Richmond, Sherrod, Terry, and Thompson—10.

So the rules were not suspended.

The bill was then read a second time.

Mr. Wolcott moved that the rules be suspended, and the bill read a third time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Carson, Church, Cravens, Cullen, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lewis, Milligan, Niles, Oylér, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—34.

Those who voted in the negative were,

Messrs. Bowman, English, Hanna, Lee, Mason, Newlin, Sherrod, Taggart and Turner—9.

So the rules were suspended, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cravens, Cullen, English, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Oylér, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—38.

Those who voted in the negative were,

Messrs. Hanna, Sherrod, Taggart, and Turner—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Houghton, from the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee, to whom was referred House bill No. 335, a bill to amend section two of an act entitled "an act to provide a treasury system for the State of Indiana for the manner of receiving the public moneys of this State, and for the safe keeping of the public moneys," respectfully report that they have considered, approved, and recommend the passage of the same.

Which report was concurred in.

Mr. Sherrod, Chairman of a Select Committee, made the following report :

MR. PRESIDENT :

The Select Committee, to whom was referred House bill No. 343, a bill to amend sections 109, 110, 111, and 119 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, have had the same under consideration, and have directed me to report the same back and ask its passage.

Which report was concurred in, and the bill, contained in the foregoing report, was read a second time and passed to a third reading on to-morrow.

On motion by Mr. Richmond, the order of business was suspended, and

Senate bill No. 229. "A bill concerning the mutual duties of common carriers."

Was taken up.

Mr. Richmond moved to recommit the bill to the Committee on Corporations, with instructions to amend by adding after the words

“common carriers” in the first section, “known as express companies or forwarders of freight, money, and valuables, and collection agents, transacting business in two or more States of the United States.”

Which was agreed to.

On motion by Mr. Johnson, the order of business was suspended, and

House bill No. 343. An act to amend sections 109, 111, and 119 of an act entitled “An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal laws inconsistent therewith, providing penalties therein prescribed,” approved March 6, 1865.

Was taken up, read a second time, and ordered to be engrossed for a third reading on to-morrow.

On motion by Mr. Johnson, the order of business was suspended, and

House bill No. 276. A bill to amend an act to amend section 124 of an act entitled “An act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State,” approved June 21, 1852, which above mentioned act was approved March 11, 1861.

Was taken up, read a second time, and passed to a third reading on to-morrow.

MESSAGES FROM THE HOUSE.

The following messages from the House were taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Engrossed House bill No. 301. A

bill donating certain real estate to the village of Rome City in the county of Noble and the State of Indiana, to said village, for educational purposes.

House bill No. 301, contained in the foregoing message, was read a first time, and passed to a second reading on to-morrow.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed House bill No. 350. A bill making specific appropriations for the year one thousand eight hundred and sixty-seven.

House bill No. 350, contained in the foregoing message, was read a first time, and referred to the Committee on Finance.

On motion by Mr. Cravens, the order of business was suspended, and

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following Engrossed Senate bill, to-wit: .

Senate bill No. 102. A bill to provide for the custody and management of the notes, bonds and mortgages, arising directly out of laws heretofore made by the Board of Sinking Fund Commissioners; to continue in force all laws or parts of laws in force on the 20th of January, 1867, which are applicable to such loans and the securities therefor, and making various other provisions.

To which the House has attached the accompanying engrossed amendments:

Engrossed Amendments of the House of Representatives to Senate bill No. 102:

First. Strike out section three and insert, in lieu thereof, the following:

SEC. 3. For incidental expenses of the management of said loans, and the said securities therefor, including the necessary clerk hire, the Auditor of State is hereby allowed the sum of four thousand dollars per annum, to be paid quarterly out of the interest occurring from said debt.

Second. Add to section four, line six, second page, the following:

Provided, That said right shall not be forfeited if mortgageor his heirs, assigns, or personal representatives shall pay the installment due, and all damages, costs and interest, and one years interest in advance, within the time allowed for the redemption of lands sold by virtue of the provisions of this act, or the acts governing the sale of sinking fund lands in force on the 20th day of January, 1867.

Third. Amend the sixth section by striking out all after the word "shall" in the fourth line, and insert after said word the following:

"Whenever the sum amounts to four thousand dollars, or more, forthwith notify the Secretary and Treasurer of State, of the amount of said fund in his hands; and said Auditor, Secretary and Treasurer shall immediately proceed to invest the funds then in hands of said Auditor, or under his control, in the five or two and one half per cent stocks of the State, by purchasing the same on the best and lowest terms that they can be had for in the market, and the said Auditor shall keep an accurate list of the names of the persons from whom purchased, the time and place of purchase, and the price paid therefor, and he shall report to the Governor at least once in three months, and to the General Assembly at each session, a full account of all his transactions in relation to such purchases; any stocks or bonds thus purchased shall be immediately canceled by writing across the face thereof "purchased for the school fund," dated and signed by the Auditor, Secretary, and Treasurer of State, and a non-negotiable bond shall be issued in favor of said school fund as now provided by law.

Fourth. Add the following section: No suit hereafter commenced by the Board of Sinking Fund Commissioners, and pending on the 20th day of January, 1867, shall abate by reason of the abolition of said board; but the same shall be continued at the discretion of the Auditor of State in the name of the State of Indiana on relation of the Auditor of State.

Amend section seven by adding thereto the following proviso :

Provided Further, That at the annual public sale of the Sinking Fund bonds, no bid shall be entertained for less than the amount due said fund for principal, interest, and costs, and in case no bid is received equal to such amount, said lands may be bid in for the State by the Auditor as the same might have been done by the Sinking Fund Commissioners under pre-existing laws.

Mr. Cravens moved to refer the bill and the amendments of the House thereto, contained in the foregoing message, to the Committee on Finance.

Which was agreed to.

Mr. Reagan, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claim of Dr. J. Higby, for expenses incurred and services rendered, on behalf of the State, from January 5th to March 3d, 1863, in visiting sick and disabled Indiana soldiers in the hospitals in General Grant's army, stationed at Memphis and along the Charleston Railroad as far as Grand Junction, amounting to one hundred and fifty-four dollars and eighty-nine cents, have had the same under consideration and find the claim correct, and would recommend that the same be referred to the Committee on Finance and allowed.

Which report was concurred in.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Robinson introduced

Senate joint resolution No. 10. A joint resolution on the subject of the imprisonment of the Rev. John Mahan.

Which was read a first time.

The question being, shall the joint resolution pass ?

S. J.—56.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Hawk, Huey, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—38.

So the resolution passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Stein, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred engrossed House bill No. 133, entitled a bill to amend the thirty-eighth section of an act entitled an act providing for the election and qualifications of Justices of the Peace, have had the same under consideration, have directed me to report it back to the Senate, with a recommendation that it lie upon the table.

Which report was concurred in.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Milligan made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred Senate bill No. 172, a bill to amend section one of an act entitled an act concerning enclosures, trespassing animals, and partition fences, approved June 4, 1852, have had the same under consideration, and have instructed me to report back the same, and recommend it lie on the table.

Which report was concurred in.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Gifford, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT:

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred House bill No. 179, a bill to authorize any person desiring to erect a flouring mill, or other machinery to be propelled by water on his own land, to erect a dam and make a race-way above such mill or machinery, on and through land belonging to other persons, and to regulate the assessment and payment of damages therefor, being an act supplemental to article forty-one chapter one of part second of the Revised Statutes, have had the same under consideration, and have instructed me to report it back to the Senate, and recommend its passage.

Which report was concurred in, and the bill therein contained was read a second time, and ordered to be engrossed for a third reading on to-morrow.

By unanimous consent of the Senate, Mr. Huey, from the Committee on the Rights and Privileges of the Inhabitants of the State, made the following report:

MR. PRESIDENT:

The Committee on the Rights and Privileges of the Inhabitants of the State, to whom was referred House bill No. 201, a bill to provide for the protection of wild and harmless birds, on or about the premises or enclosures of any kind, of another, and declaring the penalty for the violation of this act, have had the same under consideration, and have directed me, to report the same back, and recommend its passage.

Which report was concurred in.

By consent of the Senate,

On motion by Mr. Parrish, the order of business was suspended, and House bill No. 337, a bill to fix the time of holding the Circuit Court in the county of Kosciusko, of the Fourteenth Judicial Circuit, Was taken up.

Mr. Noyes moved to amend the bill as follows:

Amend the second section by adding thereto the following words, to-wit: "And in the county of Dekalb on the third Mondays of

April, and the fourth Mondays of October in each year, and may sit for two weeks at each term, if the business thereof require it."

Amend the title by striking out the words "county of Kosciusko," and insert in lieu thereof the words "counties of Kosciusko and Dekalb."

Which was agreed to.

The bill was then ordered to be engrossed for a third reading on to-morrow.

Mr. Parrish moved to reconsider the vote by which the report of the Committee on Claims, recommending the allowance of the claim of Dr. Higby, was concurred in.

Which was agreed to.

HOUSE BILLS ON SECOND READING.

House bill No. 193, "a bill amending section five of an act declaratory of the law regulating marriages, and enforcing the provisions thereof by proper penalties," approved March 5, 1852.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 207, "a bill to amend sections 405 and 406 of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

House bill No. 211, "a bill authorizing hydraulic companies to appropriate lands to their use upon paying the assessed value thereof, and providing for such assessment.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 219, "a bill authorizing the Board of County Commissioners in their several counties to require the Clerk of the Circuit

Court to index certain books and dockets and to provide compensation therefor.

Was read a second time, and passed to its third reading on to-morrow.

House bill No. 223, "a bill regulating charges for transportation of freight by the various railroad corporations doing business in the State of Indiana."

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 225, "a bill to amend section four of an act containing several provisions regarding landlords, tenants, lessors and lessees," approved May 20, 1852.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 300, "a bill to amend section first of an act entitled an act to amend section first of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, approved January 26, 1861.

Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

House bill No. 334. A bill to legalize the action of the State Board of Equalization at its session in 1864, and declaring the duty of the Auditor of State in relation thereto.

Was read a second time, and passed to a third reading on to-morrow.

By unanimous consent of the Senate, and

On motion by Mr. Cason,

House bill No. 148. A bill to amend the first section of an act entitled an act for the protection of sidewalks in towns and villages,

for the preservation of shade trees planted along the same, approved March 3, 1859, so as to protect sidewalks in towns and villages.

Was taken up, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Oyler, Parrish, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

A message from the House, by Mr. Nixon, the Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate, that he has signed Enrolled Act No. 319 of the House of Representatives—an act authorizing the appropriation of money out of the State Treasury for the use of the State University at Bloomington, Monroe County.

On motion by Mr. Oyler, the Senate adjourned.

SATURDAY MORNING, 9 o'clock, }
 March 9, 1867. }

The Senate met.

On motion by Mr. Noyes, the reading of the Journal was dispensed with.

REPORTS OF STANDING COMMITTEES.

Mr. Cason, from the Committee on the Agricultural College, to whom was referred Senate resolution No. 16, introduced by Mr. Mason, in reference to the location of said College in the county of Hancock, have had the same under consideration, together with the accompanying papers, and have directed me to report the same back with the recommendation that said resolution do lie on the table, the Senate having indefinitely postponed the consideration of that subject, and that there is not time for the proper consideration of said subject before the adjournment of the present General Assembly.

Which report was concurred in.

MESSAGES FROM THE HOUSE.

The following messages from the House were taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution :

Resolved, That the Senate be requested to reconsider the vote thereof, by which House bill No. 278 passed that body, so that said bill may again be considered in the House of Representatives, and necessary changes made therein.

On motion by Mr. Cullen, the vote by which House bill No. 278 was passed, was reconsidered.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following Engrossed joint resolutions and bills thereof, to-wit :

No. 5. A joint resolution directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of free banks, broken and closed, and of such banks as have given notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks, to which the House has attached the accompanying engrossed amendments.

Engrossed House amendments to Senate joint resolution No. 5 :

Amend by adding at the end of the joint resolution, the following :
 “Or in the presence of the Chairman of said Committee, after the adjournment of the present session of this General Assembly.”

The amendments of the House to joint resolution No. 5, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

No. 13. A joint resolution instructing our Senators and requesting our Representatives in Congress, to secure the passage of a law, by which the damage and losses incurred by certain citizens of Indiana by the Morgan raid, be paid.

House joint resolution No. 13, contained in the foregoing message, was read a first time.

The question being, shall the joint resolution pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Cason, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Mason, Milligan, Noyes, Oyler, Reagan, Rice, Richmond, Robinson, Stein, Taggart, Thompson, Ward, and Mr. President—33.

Those who voted in the negative were,

Messrs. Newlin, Parrish, Reynolds, Smith, and Terry—5.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

No. 20. A joint resolution to give prisoners of war extra pay, while prisoners of war.

House joint resolution No. 20, contained in the foregoing message, was read a first time.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennet, Bowman, Cason, Carson, Church, Cravens, Cullen, English, Gifford, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Smith, Robinson, Taggart, Thompson, and Ward—34.

No Senator voting in the negative.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 105. A bill defining the crime of conspiracy, and prescribing the punishment therefor, and reperl[ing] an act entitled "an act defining what shall constitute certain felonies, and fixing the penalties therefor."

House bill No. 105, contained in the foregoing message, was read a first time, and passed to a second reading on to-morrow.

MESSAGE FROM THE HOUSE.

The following message from the House was taken up.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House reconsidered the vote by which it concurred in

Senate amendments to House Joint Resolution No. 9, and then amended the title thereof to read as follows :

“ A Joint Resolution establishing Military Agencies for collecting bounties, back pay and pensions, due to soldiers, and soldiers widows and orphans, and appropriating the funds necessary for carrying on and supporting said Military Agencies,”

And the Senate is requested to concur in the same.

The amendments to the title of House Joint Resolution No. 9, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Johnson, the order of business was suspended, and

House bill No. 275, a bill to amend section three of an act entitled an act to amend sections 78, 79, 94, 95, 104, 102, and 143 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana ; for the election of Township Assessors, Appraisers of real property, County Auditors, and Treasurers, and of the Treasurer and Auditor of State, approved June 21, 1852; and to repeal an act entitled an act to amend section 143 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana ; for the election of Township Assessors, and prescribing the duties of Assessors and Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State, approved June 21, 1852 ; approved March 4, 1859 ; approved May 31, 1861.

Was taken up.

Mr. Johnson moved that the rules be suspended and the bill be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Cason, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt,

Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Noyes, Reynolds, Rice, Robinson, Stein, Taggart, Thompson, Ward, and Mr. President—29.

Those who voted in the negative were,

Messrs. Bennett, Church, Kinley, Oyler, Parrish, Reagan, Smith, and Terry—8.

So the rules were not suspended.

Mr. Stein moved to suspend the order of business for the purpose of enabling him to offer a resolution.

Which was not agreed to.

A message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed, without amendments, the following bills of the Senate, to-wit :

Senate bill No. 22. A bill regulating the fees of Clerks of Courts, Justices of the Peace, and Notaries, in certain cases.

Senate bill No. 63. A bill for the repeal of statutes not in conformity with the ruling of the Supreme Court in the case of Langdon against Applegate and others.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has concurred in the amendments of the Senate to Engrossed House bill No. 286, entitled a bill providing for the erection of a building for the use of the Supreme Court, State officers, etc.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following Senate joint resolution, to-wit :

No. 9. A Joint Resolution relative to an appropriation for improving the harbor at Michigan City.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has concurred in the amendments of the Senate to House Joint Resolution No. 9, entitled "a Joint Resolution declaring that there is now no law in force authorizing the payment of any money out of the State Treasury for the purpose of defraying the expenses of the Indiana Military Agency for Soldier's Claims at Indianapolis, Indiana, or the State Military Agency, acting in connection therewith, at Washington City, District of Columbia, or the salaries of clerks, office rent, or other expenses connected with said agencies, and abolishing the so-called offices, and prohibiting the further payment of any money from said Treasury for the use and benefit of such agencies, and to provide for the closing up of such business, and discontinuance of said offices.

ORDERS OF THE DAY.

SENATE BILLS ON THIRD READING.

Senate bill No. 73, "a bill to regulate and make uniform the prices of freights upon railroads in this State," having been heretofore read a third time.

Was taken up.

By consent of the Senate, the bill was laid on the table.

Senate bill No. 184, "a bill for the relief of Lewis and Eichelberger, Dare and Johnson, Peter Hallowell and Abraham Briggs."

Was taken up.

On motion by Mr. Oyler, the bill was laid on the table.

Senate bill No. 230, "a bill to repeal an act entitled an act to authorize railroad companies to occupy and use for railroad purposes the property of canal companies with their consent, and to secure them in such occupation and use, and for the protection of the hydraulic powers of such canal, and to authorize the lessees of the water privileges in said canal to organize a company or companies for the maintenance thereof, in case of the failure of said canal company to maintain the same," approved November 16, 1865.

Was read a third time, and, on motion by Mr. Cullen, laid on the table.

Senate bill No. 240, "a bill fixing the time of holding the Circuit Courts in the First Judicial Circuit, and repealing all laws in conflict therewith, and making all writs, summons and process returnable thereto.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cravens, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Thompson, Turner, Ward, and Mr. President—41.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Johnson, the order of business was suspended, and House bill No. 275, "a bill to amend section three of an act entitled an act to amend sections 78, 79, 94, 95, 104, 142, and 143, of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, Appraisers of real property, County Auditors and Treasurers, and of the Treasurer and Auditor of State, approved June 21, 1852, and to repeal

an act entitled an act to amend the 143d section of an act entitled an act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors and Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852, approved March 4, 1859, approved May 31, 1861.

Was taken up.

Mr. Johnson moved to suspend the rules, and read the bill a second and third time now.

The ayes and noes being taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Reagan, Richmond, Robinson, Sherrod, Stein, Taggart, Thompson, Turner, Ward, Wolcott, and Mr. President—35.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—39.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 276. "A bill to amend an act to amend section 124 of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors and prescribing the duties of Assessors, Appraisors, of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21st, 1852, which first above mentioned act was approved March 11th, 1861.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Cravens, Cullen, English, Gifford, Hanna, Houghton, Hawk, Huey, Huffman, Humphrey, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—40.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Richmond moved to suspend the order of bussiness and take up Senate bill No. 243, and the report of the Committee on Prisons thereon.

Which was not agreed to.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following Engrossed bills of the Senate, to-wit:

Senate bill No 11, A bill to amend sections 3 and 14 of an act entitled "an act to allow County Commissioners to organize Turnpike Companies, where three-fifths of the persons representing the

real estate within prescribed limits, petition for the same, and to levy a tax for the construction, and providing for the same to be free.

Senate bill No. 47. A bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops.

Senate bill No. 85. An act supplemental to an act entitled "an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological Institutions and Missionary Boards."

Senate bill No. 111. A bill authorizing Township Trustees of incorporated towns and the Common Council of cities to levy a tax for school purposes.

Senate bill No. 93. A bill concerning interest on money, and to provide for the recoupment of usurious interest.

Senate bill No. 143. A bill to amend an act entitled "an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological and Missionary Boards."

Senate bill 174. A bill for the relief of Peter Wells and Bennoni Wells.

Senate bill No. 32. A bill to provide for issuing *capias ad satisfaciendum*, when in action for replevin of personal property, defendant shall fraudulently conceal, remove, transfer, withhold or refuse to deliver said property, and providing the manner of proceedings to obtain said writ in cases therein specified.

Senate bill No. 43. A bill to amend section 15 of an act entitled "an act to provide for the opening, vacating, and change of highways," approved June 17th, 1852.

Senate bill No. 8. A bill to provide for the care and custody of the person and estate of habitual drunkards.

Senate bill No. 58. A bill to amend an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.

I am also directed by the Speaker of the House to inform the Senate that he has signed the following enrolled acts, to-wit :

House Joint Resolution No. 20. To give prisoners of war extra pay while prisoners of war.

Joint Resolution No. 13. A joint resolution instructing our Senators, and requesting our Representatives in Congress, to secure the passage of a law by which the damage and losses incurred by certain citizens of Indiana, by the Morgan raid, be paid.

Joint Resolution No. 9. A joint resolution establishing military agencies for collecting bounties, back pay, and pensions due to soldiers and soldiers' widows and orphans.

I am also directed by the Speaker of the House of Representatives to inform the Senate that he has signed the following Enrolled act of the House, to-wit :

No. 148. An act to amend the first section of an act entitled "An for the protection of sidewalks in towns and villages, and for the preservation of shade trees planted along the same."

Mr. Bellamy, Chairman of the Committee on Phraseology and Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills, have examined Enrolled (Senate) act No. 63, "An act for the repeal of statutes not in conformity with the ruling of the Supreme Court in the case of Langdon against Applegate and others, and limiting actions arising out of the same or for a violation thereof," and they find the said act neatly and correctly enrolled.

Mr. Bellamy, from the Committee on Phraseology and Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills, have carefully examined Enrolled (Senate) act No. 22, "An act regulating the fees of Clerks of Courts, Justices of the Peace, and Notaries Public in certain cases."

Also, Senate joint resolution No 5. "A joint resolution directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of free banks, broken and closed, and of such banks as have given notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks," and they find said act and joint resolution correctly and carefully enrolled.

Mr. Bellamy, Chairman of the Committee on Phraseology and Arrangement of Bills, made the following report :

MR. PRESIDENT :

The Committee on Phraseology, Arrangement of Bills and Enrolled Bills, have carefully examined enrolled joint resolution of the Senate No. 9, "A joint resolution relative to an appropriation for improving the harbor at Michigan City," and find the same carefully and correctly enrolled.

A message from the House, by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed the following Enrolled acts, to-wit :

House bill No. 286. An act for the erection of a suitable building for the use of the Supreme Court and State officers, for borrowing money from Sinking Fund therefor, &c.

Senate bill No. 63. An act for the repeal of statutes not in conformity with the ruling of the Supreme Court in the case of Langdon against Applegate and others.

Senate bill No. 22. An act regulating the fees of Clerks of Courts, Justices of the Peace, and Notaries Public in certain cases.

Joint resolution No. 5. Directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of free banks, broken and closed, and of such banks as have given notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks.

Joint Resolution No. 9. Relative to an appropriation for improving the harbor at Michigan City.

By consent of the Senate the order of business was suspended, and Mr. Jaquess, from the Committee on Finance, made the following report :

MR. PRESIDENT :

The Finance Committee, to whom was referred House bill No. 350—a bill making specific appropriations for the year one thousand eight hundred and sixty-seven—have had the same under consideration and, with the following amendments, they recommend the passage of the bill.

Amend by adding thereto the following sections :

Sec. 44. That the sum of four hundred and fifty-nine dollars and fifty cents be allowed to the representatives of the estate of Robert Early, deceased, for money due him as Quarter-Master of the second regiment of the Indiana Legion.

Sec. 45. That A. E. & W. H. Drapier be allowed for the number of copies of the Brevier Legislative Reports for the session of 1867, furnished every session since 1851, at the same price paid per page for the last several volumes.

Sec. 46. That Henry C. Guffin be allowed for one days work as Journal Clerk of the Senate.

That James R. Blake be allowed three dollars and seventy-five cents for money expended in summoning witnesses to appear before Senate Committee.

That there be allowed fifteen dollars for sawing wood for the Senate for 1865.

That there be allowed Nicholas Sterling fifteen dollars for three days services performed at the last extra session.

That there be allowed R. W. Hanna, for mileage and two days time as a witness before Senate Committee, fifteen dollars.

That there be allowed James Nelson, for mileage and four days time attendance before Senate Committee, twenty dollars.

That there be allowed James R. Gramling, for five wooden boxes, five dollars and fifty cents.

That there be allowed Henry Reese & Co., for brooms, glass-ware, and other articles for use of door-keeper of Senate, twenty dollars and twelve cents.

That there be allowed Ely & Bruner thirty-five dollars and twenty-five cents for repairs to the Senate room.

That there be allowed to John Lenahan thirty-two dollars for taking care of the Supreme Court room, sweeping, making fires, etc., in November and December, 1863.

That there be allowed Thomas Darcy fifteen dollars for three days services as assistant door-keeper in 1865.

Sec. 47. That there be allowed W. H. English, President of the First National Bank, two hundred and forty dollars, for money paid by him on the coupons of eight thousand dollars of Indiana war loan bonds, which said coupons, it is alleged, have been lost or destroyed, the said English to furnish an accurate list and description of the coupons, and to give a bond with satisfactory security to the Treasurer of State, to refund the said two hundred and forty dollars, or a *pro rata* amount thereof, should the said coupons, or any part of the same, be presented for payment at any time hereafter, or should the same have been paid heretofore for any part thereof, or by the agent or Treasurer of State.

Sec. 48. That there be allowed the Herald Company, for papers, stamps, and enveloping the papers, to the members of the Senate and elected officers of the Senate, five hundred and seventy-eight dollars and seventy-six cents.

That there be allowed to Douglass & Conner, for papers, stamps, and enveloping papers to the members of the Senate, and elected officers of the Senate, five hundred and seventy-eight dollars and seventy-six cents.

That there be allowed J. B. Wilder, for furnishing the Gazette paper, stamps, and enveloping papers to the members of the Senate, and elected officers of the Senate, five hundred and seventy-eight dollars and seventy-six cents.

That there be allowed to the Daily Telegraph Company, for 8,424 copies of the Daily Telegraph, stamped and enveloped, six hundred and seventy-three dollars and ninety-two cents.

That there be allowed Julius Boetticher, for the Weekly Indiana Volksblatt, one hundred and five dollars and sixty cents.

That there be allowed Douglass & Conner for 1,000 blank orders for stationery, seven dollars.

That there be allowed to Douglass & Conner for two registers of bills originating in the Senate, thirty-two dollars.

That there be allowed Douglass & Conner for five hundred sheets of enrolled acts, ruled and printed, forty dollars.

That there be allowed Benjamin Owen for one week's use of music room, in assembling and practicing the singers on occasion of the funeral obsequies of Mr. Lincoln, and for professional services, one hundred and five dollars.

Sec. 49. That there be allowed for salaries of each Circuit Judge, in addition to the number of seventeen Circuit Judges, two thousand dollars.

For salaries for each Prosecuting Attorney, in addition to the number of seventeen Prosecuting Attorneys, five hundred dollars.

Sec. 50. That there be allowed for publishing the eighth and concluding volume of the Adjutant General's report, four thousand and five hundred copies, eight thousand five hundred and fifty dollars.

Sec. 51. That there be allowed Dr. T. Higby, for medical and surgical services in the military service of the State of Indiana, in the year 1863, one hundred and fifty-four dollars and eighty-nine cents.

Mr. Stein moved to concur in the report of the Committee, with the following amendment :

Sec. —. That the sum of nine thousand nine hundred and fifty-five dollars and forty-six cents, be, and the same is hereby appropriated to Henry Hall, surviving partner in interest of the firm of Moorhead, Hall & Co., in full satisfaction of his claim for money, in pursuance of a joint resolution of the General Assembly, approved March 5, 1855, and the report of the Attorney General thereon, January 30, 1857.

Mr. Terry moved that the amendment be laid on the table, pending which,

On motion by Mr. Noyes, a call of the Senate was ordered.

The Secretary proceeded with the call. The following Senators answered to their names :

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—42.

Mr. Oyler moved to dispense with the further call of the Senate.

Mr. Noyes moved to lay the motion to dispense with the call on the table.

The ayes and noes were demanded by Messrs. Noyes and Thompson.

Those who voted in the affirmative were,

Messrs. Armstrong, English, Hyatt, Noyes, Reagan, Terry, and Thompson—7.

Those who voted in the negative were,

Messrs. Bellamy, Bennett, Bowman, Brown, Cullen, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Humphreys, Jaquess, Johnson, Lee, Mason, Milligan, Oyler, Parrish, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Turner, Ward, Wolcott, and Mr. President—31.

So the motion to lay on the table did not prevail.

The motion to dispense with the further call of the Senate was then agreed to.

The question recurring on the motion to lay the amendment of Mr. Stein on the table,

The ayes and noes were demanded by Messrs. Noyes and Howk.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, English, Gifford, Houghton, Howk, Huey, Humphreys, Hyatt, Johnson, Lewis, Milligan, Noyes, Reagan, Reynolds, Rice, Terry, Thompson, and Ward—21.

Those who voted in the negative were,

Messrs. Bennett, Cullen, Hanna, Huffman, Jaquess, Lee, Mason, Newlin, Oyler, Parrish, Richmond, Robinson, Sherrod, Stein, Taggart, Turner, Wolcott, and Mr. President—18.

So the amendment was laid on the table.

Mr. Oyler moved to concur in the report of the Committee, with the following amendment :

Amend by inserting, to Milton S. Robinson and John Hunt one hundred dollars each, for expenses in contesting the seat of John Hunt, as Senator from the counties of Madison and Grant, as ordered by the Senate.

Which was agreed to.

Mr. Hanna moved so strike out so much of section forty as allows Benjamin Owen one hundred and five dollars for the use of room.

Which was agreed to.

Mr. Wolcott moved to amend as follows :

That O. M. Wilson, Secretary, and Thomas M. Browne, Assistant Secretary of the Senate, be each allowed the sum of one hundred and twenty-five dollars for correcting proofs, indexing Senate Journal, and preparing abstract of titles of bills and joint resolutions passed.

Which was agreed to.

Mr. Parrish moved to amend as follows :

That Dr. H. H. Gillen be allowed the sum of two hundred and eleven dollars and fifteen cents, for services as special surgeon to the army after the battle of Shiloh, by order of Governor Morton.

Which was not agreed to.

Mr. Rice moved to amend as follows :

That John I. Morrison, late Treasurer of the State, be allowed the sum of seven hundred dollars for clerk hire, during his term of office.

Which was not agreed to.

Mr. Oyler moved to concur in the report of the Committee, with the following amendment, by adding :

For the purpose of encouraging emigration one thousand dollars, to be expended in granting and disseminating information, under the charge of the Governor, in regard to this State.

Which, on motion by Mr. Bennett, was laid on the table.

Mr. Stein moved to concur in the report of the Committee, with the following amendment :

Sec. —. That the sum of \$5,000 be allowed to John A. Wilstach in full of all salary and expenses past, present or prospective connected with his appointment as commissioner, for the encouragement of emigration.

Mr. Bennett moved to lay the amendment on the table.

Mr. Bennett moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question now be put?

It was agreed to.

The question then being, shall the amendment of Mr. Stein be laid on the table?

The ayes and noes were demanded by Messrs. Cullen and Cason.

Those who voted in the affirmative were,

Messrs. Bennett, Bowman, Brown, Church, Cullen, English, Gifford, Hanna, Howk, Huey, Huffman, Humphreys, Hyatt, Johnson, Lee, Milligan, Noyes, Oyler, Reagan, Reynolds, Rice, Smith, Taggart, Terry, Turner, Ward, and Wolcott—27.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Cason, Houghton, Jaquess, Lewis, Mason, Newlin, Parrish, Richmond, Sherrod, Stein, Thompson, and Mr. President—14.

So the amendment was laid on the table.

The question being, shall the amendments proposed by the committee as amended be adopted?

It was agreed to.

Mr. Oyler moved to suspend the rules, and read the bill a second and third times now.

The ayes and noes being taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cullen, English, Gifford, Houghton, Howk, Huey, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—35.

Those who voted in the negative were,

Messrs. Hanna, Huffman, Humphreys, Mason Newlin, Sherrod, Taggart, and Turner—8.

So the rules were suspended, and the bill was read a second and third times.

The question then being, shall the pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason,

Church, Cullen, English, Gifford, Houghton, Howk, Hyatt, Jaquess Johnson, Lee, Lewis, Mason, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—34.

Those who voted in the negative were,

Messrs. Hanna, Huey, Huffman, Humphreys, Taggart, and Turner—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Mason moved that the vote just taken, by which House bill No. 350 was passed, be reconsidered.

Which was not agreed to.

Mr. Church, from the Committee on Phraseology, and arrangement of bills, made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills have examine Enrolled Senate Act No. 8, and find the same carefully and correctly enrolled.

Mr. Bellamy, Chairman of the Committee on Phraseology and Enrolled Bills, made ths following report :

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills have carefully examined Enrolled Senate Act No. 111, "an act authorizing Township Trustees, Trustees of incorporated towns, and the Common Council of cities to levy a tax for school purposes," and report that they find the same carefully and correctly enrolled.

By unanimous consent of the Senate,

Mr. Church, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following report :

MR. PRESIDENT :

The Committee on the Rights and Privileges have had under consideration House bill No. 14, a bill appointing Commissioners to adjust the claims of the citizens of the State of Indiana for damages sustained by reason of the raid of the rebel forces under command of John Morgan in July, 1863, and all raids made by rebel forces ; also, prescribing the powers and duties of said Commissioners and providing that they shall report their proceedings, findings, and the facts upon which each claim is founded to the Governor, to be by him submitted to the General Assembly, and providing compensation for the Commissioners and others ; and a majority direct me to report the same back to the Senate recommending that the same be indefinitely postponed.

Mr. Gifford, from the Committee on the Rights and Privileges of the Inhabitants of this State, made the following minority report :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of this State, to whom was referred House bill No. 14, have have had the same under consideration, and the undersigned minority of said Committee respectfully report that they are in favor of the passage of the bill, and ask the Senate to take into consideration its merits and place it on its passage.

THOS. GIFFORD,
ROBERT HUEY,
JAMES L. MASON,

On motion the foregoing reports were laid on the table.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Wolcott, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee on Finance, to whom was referred Senate bill No. 102, a bill to provide for the custody and management of the notes,

bonds, and mortgages arising directly out of loans, heretofore made by the Board of Sinking Fund Commissioners; to continue in force all laws or parts of laws, in force on the 20th day of January, 1867, which are applicable to said loans and the securities therefor; to clothe the Auditor of State with the powers, and subject him to the duties in relation to said loans and securities therefor, which by said loans are vested in or imposed upon said Board of Sinking Fund Commissioners; to provide for the incident expenses of the management of said loans and securities, including clerk hire, and for mode and periods of the payment of such allowance for expenses; substituting the seal of the Auditor of State for that of the Board of Sinking Fund Commissioners; and declaring an emergency for the immediate taking effect of this act, and providing for the Auditor of State to execute bond and payment of all moneys into the State Treasury," with amendments proposed by the House of Representatives, respectfully report that they have considered the said bill and amendments, and they recommend the concurrence of the Senate in House amendments.

Which report was concurred in, and the amendments adopted.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Hanna, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 229, a bill concerning the mutual duties of common carriers, with amendments, have instructed me to report the same back to the Senate and with the amendments recommend its passage.

Which report, on motion by Mr. Bennett, was laid on the table.

On motion by Mr. Bennett, the Senate adjourned.

TWO O'CLOCK, P. M.

The Senate met.

By unanimous consent, the order of business was suspended and Mr. Johnson offered the following resolution :

Resolved, That the House of Representatives be requested to return to the Senate, House bill No. 277, with a view of receding from the amendments thereunto attached.

Which was adopted.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended and Mr. Oyler introduced Senate Joint Resolution No. 11. A Joint Resolution providing for furnishing the library of Congress with the Statute Laws of this State and other books and public documents.

Which was read a first time.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Terry, Thompson, Ward, Wolcott and Mr. President—38.

No Senator voting in the negative.

So the Joint Resolution passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Hanna, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names.

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason,

Carson, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Terry, Thompson, Turner, Ward, Wolcott and Mr. President—41.

On motion by Mr. Oyler the further call of the Senate was dispensed with.

A message from the House by Mr. Nixon the Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bills thereof :

No. 349. A bill supplemental to, and declaratory of the meaning of an act passed at the special session of the General Assembly, begun on the 13th day of Nov. 1865, and entitled "an act to secure a just valuation and taxation of all railroad property within this State, to legalize the valuation, assessment, adjustment, and payment of taxes for such property, made subsequent to the year 1859.

No. 341. A bill to provide for the assessment and collection of taxes on the shares of stock owned in banks and banking associations doing business in this State.

On motion by Mr. Bennett, the order of business was suspended and the following messages from the House were taken up.

Message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT :

I am directed to inform the Senate that the House has passed the following engrossed Senate acts to-wit :

No. 152. A bill to legalize and make valid, certain bonds and to provide for the payment of the same. To which the House has attached the accompanying engrossed amendments.

Engrossed amendment of House of Representative to Senate bill No. 152.

Amend section one of Senate bill No. 152 by adding the following thereto :

"And all soldiers who entered the service of the United States under the call of the President for or during the year 1862 or 1863, for three years, or during the war, and are now residents of the county giving the bounty, and who have received no bounty from any such county where such soldier has remained in said service until the expiration of the war or during his term of enlistment and have been honorably discharged from such service, shall be entitled to one hundred dollars in bounty from such county, and a tax shall be levied and collected for the payment of such bounties as above provided for : *Provided*, That nothing in this act shall be so construed as to effect any other county than such counties as may have issued the bonds described in the first section of this act."

The engrossed amendments of the House to Senate bill No. 152 contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

Message from the House by Mr. Nixon, Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following bills of the Senate, to-wit :

No. 30. A bill to provide for the protection of fish, defining the time in which they may be trapped, netted, or seined, affixing the penalty for the violation of this act, and declaring an emergency.

To which the House has attached the accompanying engrossed amendments :

House engrossed amendments to Senate bill No. 30 :

Amend by inserting in line three, section one, after the word "net" the word "shoot," and in line twelve, section one, after the word "netting" the word "shooting."

Also, amend by adding the following :

Provided, however, That the penalties prescribed in this act shall

not be enforced against persons taking fish out of the Ohio and St. Joseph rivers.

The engrossed amendments of the House to Senate bill No. 30, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Ward, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred House bill No. 59—a bill to amend the second and twenty-third sections of an act for the incorporation of insurance companies, defining their powers and prescribing their duties—have had the same under consideration, and have directed me to report the same back to the Senate without amendment and recommend its passage.

Which report was concurred in.

By unanimous consent of the Senate the order of business was suspended, and

Mr. Rice, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 197—a bill supplemental to an act regulating decents and the appertainment of estates, approved May 14, 1852—have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that it do pass.

Which report was concurred in.

Mr. Reynolds, from the Committee on State Prisons, made the following report :

MR. PRESIDENT :

The Committee on State Prisons have made a visit to the Northern State Prison, located at Michigan City, and have made as thorough

examination of its management, the condition of its convicts, the prison and its cells, the books and accounts in the office of the warden, as time and circumstances would permit. The building and its cells are approaching completion, and appear strong, durable, and comfortable, and when finished, according to design, will be very creditable to the State. Its whole internal arrangement is convenient, neat and clean. The prisoners seemed healthy and well provided for, and discipline and order duly enforced.

The officers, on the ground, appeared open and candid in their statements of their mode of executing the government of the prison, and in laying before us the books and accounts showing the expenses of the establishments—in a word, they done all in their power to assist us in our investigations, and treated us, during our stay, with marked liberality and kindness. In giving a very hasty examination of the expenses of this prison, your committee feel that they owe it to the State, and to themselves, to say that they are not prepared to sanction a custom, as appears from the books, of officers charging the State for extra labor while performing duties clearly within the scope of their office. They believe, that to justify officers in making such charges, nothing but extraordinary labor, clearly beyond the scope of their official duties, can be tolerated with safety to the interests of the State. They, therefore, recommend that the officers in charge of the State Prisons be held, by law, to a more strict accountability for the performance of their whole duty, and for this purpose that they be required to make quarterly reports of all their prison expenses and proceedings in their offices to the Governor of the State. Your committee, furthermore, believe the State Prisons can be made self-supporting, and that the welfare and management of the convicts may be as well consulted and secured, under a judicious lease of the labor of the prisoners, as is now obtained under the expensive management of the State. In view of the great expense annually incurred by the State, and the absolute necessity for rigid economy in the administration of the affairs of the State, your committee earnestly recommend that some suitable plan for leasing the labor of the convicts be adopted by the Legislature, that will guard the rights of the convicts, secure the necessary discipline, make the prisons self-supporting, and release the State from this heavy burthen of taxation.

A message from the Governor by John M. Commons, his private Secretary:

MR. PRESIDENT :

I am directed by the Governor to inform your honorable body, that he has approved and signed enrolled act No. 22, an act regulating the fees of Clerks of Courts, Justices of the Peace, and Notaries Public, in certain cases.

Also, Joint resolution No. 5. A joint resolution directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of free banks, broken and closed, and of such banks as have given notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed, and closing banks.

Also, Joint resolution No. 9. A joint resolution relative to an appropriation for improving the harbor at Michigan City, and that the same have been deposited in the office of the Secretary of State.

Mr. Bellamy, from the Committee on Enrolled Bills, made the following report.

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills, have examined enrolled Senate act No. 43, an act to amend section fifteen of an act entitled an act to provide for the opening, vacating, and change of highways, approved June 17, 1852.

Also, Enrolled Senate act No. 32. An act to provide for issuing *capias ad satisfaciendum*, when in actions for replevin of personal property defendant shall fraudulently conceal, remove, transfer, withhold, or refuse to deliver said property, and providing the manner of proceedings to obtain said writ in certain cases therein specified, and report that they find said acts carefully and correctly enrolled.

On motion by Mr. Wolcott, the order of business was suspended, and Senate bill No. 241, an act to authorize the Directors of the State Prison at Jeffersonville, to contract the convict labor of said prison, and prescribing the terms and conditions of the contract.

Was taken up and read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

: Messrs. Armstrong, Bellamy, Bennett, Bowman, Cason, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—38.

Those who voted in the negative were,

Messrs. Brown and Howk.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent, the Senate proceeded to the consideration of

BILLS ON THEIR THIRD READING.

House bill No. 211. A bill authorizing hydraulic companies to appropriate lands to their use upon paying the assessed value thereof, and providing for such assessment.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President.—31.

Those who voted in the negative were,

Messrs. Bowman, English, Noyes, and Smith—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Bennett moved to suspend the order of business, and take up House bill No. 349.

Mr. Hanna moved to amend by suspending the order of business, and taking up House bill No. 341, and giving it the precedence.

Mr. Wolcott moved to amend the amendment so as provide for the taking up of both bills.

Which was agreed to.

The question then being, shall the amendment, as amended, be adopted?

The ayes and nays were demanded by Messrs. Hanna and Bennett.

Those who voted in the affirmative were,

Messrs. Bowman, Cason, Hanna, Hawk, Huffman, Hyatt, Mason, Newlin, Parrish, Reagan, Robinson, Turner, and Mr. President—13.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cullen, English, Gifford, Houghton, Huey, Jaquess, Johnson, Lee, Lewis, Milligan, Noyes, Oyler, Reynolds, Richmod, Sherrod, Smith, Stein, Terry, Thompson, Ward, and Wolcott—25.

So the amendment, as amended, was not adopted.

The question recurring on the motion of Mr. Bennett,

It was agreed to, and

House bill No. 349, a bill supplemental to, and declaratory of the meaning of an act passed at the special session of the General Assembly began on the 13th day of November, 1865, and entitled an act to secure a just valuation and taxation of all railroad property within the State; to legalize the valuation, assessment, adjustment and payment of taxes for such property made subsequent to the year 1859.

Was taken up, and the bill was read a first time.

Mr. Bennett moved to suspend the rules and read the bill a second and third times now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—39.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Hanna, the order of business was suspended, and

House bill No. 341. "A bill to provide for the assessment and collection of taxes on the shares of stock owned in banks and banking associations doing business in this State."

Was taken up and read a first time.

Mr. Hanna moved to suspend the rules, and read the bill a second and third times now.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Stein, Terry, Thompson, Turner, Ward, and Wolcott—35.

Those who voted in the negative were,

Messrs. English, Jaquess, Smith, and Mr. President—4.

So the rules were suspended, and the bill was read a second and third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Terry, Thompson, Turner, Ward, and Mr. President—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion, the order of business was suspended, and

The following messages from the House were taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 4, a bill to establish a Home for the maintenance of sick and disabled Indiana soldiers, with the following engrossed amendments thereto, in which the concurrence of the Senate is requested.

Engrossed House amendments to Senate bill No. 4 :

Amend title by adding the words "and seamen and their orphans and widows," after the word "soldier;" amend seventh line of section one by inserting "and seamen and their orphans and widows," after the word "soldiers;" amend eighth line of section one by inserting "and seamen;" after the word "soldiers;" amend tenth line of section two by striking out "the first day of January," and inserting "the third Monday in January;" amend sixth line of section third by inserting the words "and seamen," after the word "soldiers;" amend tenth line of section four by inserting "or seamen," after the word "soldier," amend fourth line of section eight by adding the words "and seamen," after the word "soldiers;" amend fifth line of section eight by adding the words "and seamen," after the word "soldiers;" amend seventh line of section eight by inserting the words "and seamen," after the word "soldiers;" amend tenth line of section eight by inserting the words "and seamen," after the word "soldier;" amend twelfth line of section eight by adding the words "and seamen."

The engrossed amendments of the House to Senate bill No. 4, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 214, an act to authorize cities to prepare, execute, negotiate, and sell bonds to provide means to complete unfinished school buildings, &c., with the accompanying engrossed amendments of the House thereto, in which the concurrence of the Senate is requested.

Engrossed House amendments to Senate bill No. 214.

Amend as follows :

1st. Strike out all after the enacting clause and insert the following :

"That any city or incorporated town in this State, which shall by the action of its school Trustee or Trustees, have commenced or may

hereafter commence the erection of any building or buildings for school purposes, or, which shall have by its School Trustee or Trustees contracted any debts for the erection of any such building or buildings, and such Trustee or Trustees shall not have the necessary means with which to complete such building or buildings, or pay such debt, may, on the filing by the School Trustee or Trustees of said city or incorporated town, of a report, under oath, with the Common Council of such city, or the Board of Trustees of such incorporated town, showing the estimated cost of any such building or buildings, or the amount required to complete such building or buildings, or the amount of such debt, on the passage of an ordinance authorizing the same, by the Common Council of such city or the Board of Trustees of such incorporated town, issue the bonds of such city or town to an amount not exceeding in the aggregate thirty thousand dollars, in denominations not less than one thousand dollars, and payable at any place that may be designated in such bonds, the principal in not less than one year, nor more than twenty years after the date of such bonds, and interest annually or semi-annually, as may be therein provided, to provide the means with which to complete such building or buildings, and pay such debt. And such Common Council or Board of Trustees may from time to time negotiate and sell as many such bonds as may be necessary for such purpose in any place, and for the best price that can be obtained therefor in cash. *Provided*, that such bonds shall not be sold at a price less than ninety-four cents on the dollar."

SECTION. 2. The proceeds of the sales of such bonds shall be paid to the said School Trustee or Trustees, to enable them to erect or complete such building or buildings and pay such debt, but before payment to them, such School Trustees shall file with the County Auditor a bond, payable to the State of Indiana, in a sum not less than the full amount of the said money so to be paid to them, and with security to be approved by said Auditor, conditioned for the faithful and honest application of such money to the purpose for which the same was provided, and such Trustee or Trustees, and their surety or sureties shall be liable to suit on such bond, for any waste, misapplication or loss of such money in the same manner as now provided for waste or loss of school revenue.

SECTION 3. In addition to the levying the tax by cities or incorporated towns, for general purposes now authorized by law, the Com-

mon Council of any such cities, and Board of Trustees of any such incorporated towns as shall avail themselves of the provisions of this act, are hereby authorized and required to levy annually a special additional tax at the same time and in the same manner as other taxes of such city or town are levied, sufficient to pay the interest and principal of said bonds falling due, which additional special tax shall be collected as other taxes of such city or town are collected, and the Treasurer of such city or town shall keep accurate accounts of the revenue arising from such special tax, and shall in his reports and when required by the city or town authorities, show the amount thereof received, the amount disbursed, and the amount thereof, if any, remaining delinquent. He shall pay out the same, and by the authority of the Common Council of such city, or Board of Trustees of such town, and shall permit the same to be applied to no other purpose than the payment of the principal and interest of such bonds and official bonds of city and town Treasurers shall be construed to cover and include revenue arising from this source. *Provided always*, that the additional special tax hereby authorised shall not in any one year exceed fifty cents on each one hundred dollars of taxable property, and one dollar on each poll.

SECTION 4. The advancement of the cause of education, requiring that this act shall take immediate effect, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

Amend the title to read as follows :

A bill to authorize cities and towns to execute, negotiate and sell bonds to procure means with which to erect and complete unfinished school buildings, and pay debts contracted for the erection of such buildings, and authorizing the levy and collection of an additional special tax for the payment of the principal and interest of such bonds.

The engrossed amendments of the House to Senate bill No. 214, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT :

I am directed to inform the Senate that the House has amended House bill No. 278, which had heretofore passed both Houses, and herewith submit the same to the Senate, in its amended form, and ask the Senate to concur in the changes the House has made in said bill.

The Senate concurred in the changes to House bill No. 278, suggested in the foregoing message.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, Cason, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT :

I am directed to inform the Senate that the House has passed the following Senate bill, with amendments, to-wit :

Senate bill No. 95. A bill to amend an act entitled an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of township and county officers in relation thereto.

Engrossed amendments of the House of Representatives to Senate bill No. 95.

First. Amend by striking out of section twenty, as amended, the following: "And may assess a tax not less than two nor more than five cents on each acre of taxable land for road purposes."

Second. Amend by striking out "fifteenth of August" and insert "fifteenth of October."

The engrossed amendments of the House to Senate bill No. 93, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

House bill No. 277. A bill to amend section one of an act to amend sections 123 and 136 of an act entitled an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State, approved June 21, 1852; and to repeal sections 138, 139, and 140 of said act, approved June 3, 1861.

Was taken up.

On motion by Mr. Johnson, the vote by which the Senate adopted certain amendments to said bill, was reconsidered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, Cason, English, Gifford, Hanna, Houghton, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—34.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and

House bill No. 343, a bill to amend sections 109, 110, 111, and 119 of an act entitled an "an act to provide for a general system of common schools, the officers thereof, and their respective powers and

duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Was taken up and read a second time.

Mr. Jaquess moved to suspend the rules and read the bill a third time now.

The ayes and noes being taken under the Counstitution,

Those who voted in the affirmative were,

Messrs. Bellamy, Bowman, Brown, Cason, Church, English, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Noyes, Niles, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—34.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Houghton, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Rice, Richmond, Robinson, Stein, Thompson, Ward, Wolcott, and Mr. President—26.

Those who voted in the negative were,

Messrs. Bowman, English, Gifford, Howk, Huffman, Lee, Sherrod, Smith, and Turner—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Bennett, from the Committee of Free Conference, made the following report:

MR. PRESIDENT:

The Committee of Conference, on the part of the Senate, to whom was referred Senate bill No. 2, a bill to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and the form of the ballots, and providing compensation for services of such officers, with the amendments of the House thereto, beg leave to report that the committee have been unable to agree for want of time to perfect the bill, and ask to be discharged.

Mr. Oyler offered the following:

Resolved, That the House be requested to appoint another Committee on Senate bill No. 2, and if the House agree, a new committee be appointed by the President on the part of the Senate.

Which was adopted.

HOUSE BILLS ON THIRD READING.

House bill No. 91. A bill vacating portions of highways located on county lines, in cases therein specified.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bowman, Brown, Cason, English, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Johnsonn, Lee, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—32.

Those who voted in the negative were,

Messrs. Mason and Sherrod—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 4. A bill to amend section twenty of the act regu-

lating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Cullen, Hyatt, Jaquess, Johnson, Lewis, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Richmond, Robinson, Thompson, Ward, and Mr. President—21.

Those who voted in the negative were,

Messrs. Bowman, Church, English, Gifford, Hanna, Houghton, Howk, Huffman, Lee, Mason, Noyes, Reynolds, Rice, Sherrod, Smith, Stein, Terry, Turner, and Wolcott—19.

So the bill did not pass for want of a constitutional majority.

House bill No. 17. A bill in relation to conveyances of land by persons of unsound mind.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cullen, Gifford, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—34.

Those who voted in the negative were,

Messrs. Bowman, English, Howk, Mason, Sherrod, and Turner—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 18. A bill to amend section No. 15 and to repeal

sections 29 and 30 of an act regulating general elections and prescribing duties of officers in relation thereto, approved June 7, 1852, and prescribing farther duties of the officers.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—42.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate,

Mr. Bennett introduced

Senate bill No. 247. A bill declaring what persons shall be deemed to have acquired a residence in any township, city, or ward in this State so as to entitle him to vote therein.

Which was read a first time.

Mr. Bennett moved that the rules be suspended, and the bill be read a second and third times now.

The ayes and noes were taken under the constitution.

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, Gifford, Houghton, Howk, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—37.

Those who voted in the negative were,

Messrs. English, Hanna, and Huey—3.

So the rules were suspended, and the bill was read a second and third times.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed to inform the Senate that the House of Representatives, in accordance with a resolution of the Senate, has agreed to a second Conference Committee on Senate bill No. 2, and that the House has appointed on its part Messrs. Peelle, Stackhouse, and Daggy on such committee.

The President appointed Messrs. Oyler, Stein, and Newlin the like committee on the part of the Senate.

Ordered, That the Secretary inform the House thereof.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—39.

Mr. Hanna only voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 23. A bill to enable the owner of wet lands to drain and reclaim them where the same cannot be done without affecting the lands of others, prescribing the power and duties of

County Boards and County Auditors in the premisses, and repealing all laws inconsistent therewith.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Carson, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Noyes, Parrish, Reagan, Rice, Robinson, Sherrod, Smith, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—37.

Those who voted in the negative were,

Messrs. Niles and Richmond—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 39. A bill to legalize and declare valid and effectual all the orders, judgments, and other proceedings made, rendered, and had, by and before the Common Pleas Court of Clinton county, in this State, held in the Court House of said county in the months of October and November, in the year one thousand eight hundred and sixty-five, and, then and there, by and before the several Judges of the said courts.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

S. J.—59.

House bill No. 337. A bill to fix the time of holding¹⁷ the Circuit Court in the county of Kosciusko of the Fourteenth Judicial Circuit.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reyholds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—41.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 40. A bill to amend an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, approved June 18, 1852.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Cullen, English, Gifford, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—37.

Mr. Taggart voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Oyler, from a Committee on Free Conference, made the following report :

MR. PRESIDENT :

The Committee of Free Conference, appointed by both Houses, have duly considered the matters in conflict between the two Houses upon Senate bill No 2, and have unanimously agreed to recommend that the House recede from its amendments to the bill and pass the bill as it came from the Senate, and for that purpose the Senate returns said bill to the House.

Which report was concurred in.

House bill No. 63. A bill to amend section 11 of an act entitled "an act defining misdemeanors and prescribing the punishment therefor," approved June 14, 1852."

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Johnson, Lee, Lewis, Mason, Milligan, Niles, Oyler Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Taggart, Terry, Thompson, Ward and Mr. President—36.

Those who voted in the negative were,

Messrs. Newlin, Stein and Wolcott—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 72. A bill to amend an act entitled "an act to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each of said Prisons, directing what convicts shall be sent to the Northern State Prison, and providing for carrying on the work

in said Northern State Prison, and making appropriations for the support of said Prison,"

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Cason, Church, Gifford, Houghton, Huffman, Hyatt, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Taggart, Terry, Thompson, Ward, Wolcott and Mr. President—31.

Those who voted in the negative were,

Messrs. Bennett, Bowman, Cullen, English, Hanna, Howk, Huey, Lee, Sherrod and Smith—10.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

A message from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has concurred in the report of the Conference Committee, on Senate bill No. 2, thereby recedeing from its amendments thereto.

By unanimous consent of the Senate, the order of business was suspended and Mr. Bellamy offered the following resolution:

Resolved, That when the Senate adjourn it will adjourn to meet at 7½ o'clock P. M.

Which was adopted.

House bill No. 81. A bill regulating the employment of persons under sixteen years of age in the cotton and woolen factories of this State.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cullen, English, Gifford, Houghton, Howk, Huey, Huffman, Jaquess, Johnson, Lee, Lewis, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—36.

Those who voted in the negative were,

Messrs. Hanna, Hyatt, Mason and Milligan—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 83. A bill for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, repealing all laws inconsistent therewith, and declaring an emergency."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cullen, Gifford, Hanna, Howk, Huffman, Jaquess, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott and Mr. President—31.

Those who voted in the negative were,

Messrs. English, Houghton, Hyatt, Lee, Noyes and Taggart—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 93. "A bill prohibiting the locking of railroad cars in certain cases, and providing punishment therefor.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Cason, Church, Cullen, Gifford, Hanna, Houghton, Huffman, Jaquess, Johnson, Lee, Lewis, Mason, Millgan, Newlin, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—29.

Those who voted in the negative were,

Messrs. Bowman, English, Howk, Niles, Robinson, Smith, and Taggart—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 101, "a bill to amend the act entitled an act to amend the act entitled an act authorizing the construction of plank, macadamized, and gravel roads, and to empower the same to make sale of a portion of their roads," approved February 28, 1855.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cullen, Gifford, Houghton, Huey, Huffman, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Oyler, Reagan, Reynolds, Rice, Robinson, Smith, Stein, Ward, Wolcott, and Mr. President—27.

Those who voted in the negative were,

Messrs. Bowman, English, Hanna, Howk, Mason, Noyes, Richmond, Terry, and Thompson—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 107, "a bill to amend section twenty-one of an act entitled an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Howk, Huey, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Thompson, Ward, Wolcott, and Mr. President—31.

Those who voted in the negative were,

Messrs. Hanna, Houghton, Hyatt, Mason, and Terry—5.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 130. A bill to amend section 28 of an act entitled "An act defining felonies and prescribing punishment therefor," approved June 10, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Houghton offered the following resolution:

Resolved, That the three wood sawyers and the four firemen employed by the Librarian be allowed five dollars per day for each day's service so employed during the session of the Legislature.

Which, on motion by Mr. Bennett, was laid on the table.

Messages from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT:

I am directed to inform the Senate that the Speaker of the House of Representatives has signed the following Enrolled Senate acts, to-wit:

Senate bill No. 8. An act to provide for the care and custody of the person and estate of habitual drunkards.

Senate bill No. 111. An act authorizing Township Trustees, Trustees of incorporated towns, and the Common Council of cities to levy a tax for school purposes.

Senate bill No. 76. An act for the incorporation of slack-water navigation companies and defining their powers and duties.

MR. PRESIDENT:

I am directed to inform the Senate that the House has passed, without amendments, the following Senate bills, to-wit:

Senate bill No. 75. A bill to increase the salary of the Prosecuting Attorneys of the Criminal Circuit Courts, and providing the manner for the payment of the same.

Senate bill No. 118. A bill to require Clerks of the Courts of Common Pleas to specify by separate items, the fees and services for which they may demand payment of executors, administrators or guardians.

Senate bill No. 151. An act amending an act touching the relation of guardian and ward, and regulating suits on bonds of guardians removing from this State.

And the following bill without amendments :

Senate bill No. 212. An act to regulate the arrest of fugitives from justice from other States and Territories.

I am also directed to inform the Senate that the House has concurred in the amendments of the Senate to House bill No. 348, "A bill making general appropriations for the years 1867 and 1868, defining the salaries and official tenure of certain officers, repealing certain laws therein named, and declaring an emergency."

I am also directed to return to the Senate House bill No. 277 in accordance with a resolution of the Senate.

MR. PRESIDENT :

I am directed to inform the Senate that the Speaker has signed Enrolled act No. 278 of the House of Representatives.

MR. PRESIDENT :

I am directed to inform the Senate that the Speaker has signed enrolled Senate acts, Nos. 47 and 174.

Also, that the Speaker has signed enrolled acts of the Senate Nos. 58, 93, 32, and 43.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed Senate bills, to-wit :

No. 97. An act designating certain holidays, and relative to negotiable paper falling due thereon.

No. 164. A bill to provide for the removal from office, death, resignation or inability of both Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith.

No. 154. An act to revise and amend the sixth section of an act entitled an act granting to the citizens of the town of Evansville, in the county of Vanderburg, a city charter, approved January 27,

1847, and for the establishment of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.

No. 245. An act to repeal section 131 of an act entitled an act to provide for a general system of common schools, the officers thereof, and their powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named.

MR. PRESIDENT:

I am directed to inform the Senate that the Speaker has signed the following enrolled acts:

Enrolled Senate act No. 143—of the House No. 349. Also, Enrolled Senate act No. 30.

Mr. Bellamy, from the Committee on Phraseology, Arrangement of Bills, and Enrolled Bills, made the following reports:

MR. PRESIDENT:

The Committee on Phraseology and Enrolled Bills have carefully compared Senate bill No. 58 with the accompanying enrolled bill, and find the same neatly and correctly enrolled.

MR. PRESIDENT:

The Committee on Phraseology and Enrolled Bills have examined enrolled Senate act No. 47, and find the same carefully and correctly enrolled.

MR. PRESIDENT:

The Committee on Enrolled Bills have carefully examined enrolled Senate act No. 93, an act concerning interest on money, and to provide for recoupment of usurious interest; also, enrolled act of Senate, No. 174, an act for the relief of Peter Wells, and Bennoni Wells, and report that they find said acts carefully and correctly enrolled, and ready for signature.

MR. PRESIDENT:

The Committee on Enrolled Bills and Phraseology, to whom was

referred enrolled act No. 86, entitled an act supplemental to an act entitled "an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological Institutes, and Missionary Boards," approved February 28, 1855, have examined the same, and find it correctly enrolled.

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills, have examined enrolled Senate act No. 143, an act to amend an act entitled "an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological and Missionary Boards," approved February 28, 1855.

Also, enrolled act of the Senate No. 30, "an act to provide for the protection of fish, defining the time in which they may be trapped, netted, or seined, affixing the penalty for the violation of this act, and declaring an emergency," and they find said Senate acts carefully and correctly enrolled.

MR. PRESIDENT :

The Committee on enrolled Bills have examined enrolled Senate act No. 118, and find the same carefully and correctly enrolled.

On motion by Mr. Cullen, the Senate adjourned.

HALF-PAST SEVEN O'CLOCK P. M.

The Senate met.

The Senate resumed the consideration of

HOUSE BILLS ON THIRD READING.

House bill No. 144. A bill to prevent the spread of disease among sheep.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were, .

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Carson, Church, Cullen, English, Gifford, Hanna, Howk, Huey, Hyatt, Jaquess, Johnson, Lee, Lewis, Newlin, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—34.

Mr. Parrish voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. English moved to suspend the order of business and take up the majority and minority reports of the Committee on the Rights and Privileges of the Inhabitants of this State on House Bill No. 14, "a bill appointing Commissioners to adjust the claims of citizens of the State of Indiana for damages sustained by reason of the raid of the rebel forces under command of John Morgan, in July, 1863, and all other raids made by rebel forces. Also, prescribing the powers and duties of said Commissioners, and providing that they shall report their proceedings, findings and the facts upon which each claim is founded, to the Governor, to be by him submitted to the General Assembly, and providing compensation for the Commissioners and others."

Which was agreed to, and the reports were taken up.

Mr. Terry moved to concur in the report of the Committee.

Mr. Gifford moved to amend the motion to concur by substituting the report of the minority of the Committee.

Mr. Richmond moved to lay the motion of Mr. Gifford on the table.

The ayes and noes were demanded by Messrs. Gifford and Richmond.

Those who voted in the affirmative were,

Messrs. Armstrong, Bennett, Brown, Church, Milligan, Niles, Noyes, Parrish, Reagan, Rice, Richmond, Stein, and Terry—13.

Those who voted in the negative were,

Messrs. Bellamy, Bowman, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Newlin, Oyler, Robinson, Sherrod, Smith, Taggart, Thompson, Ward, Wolcott, and Mr. President—26.

So the motion was not laid on the table.

The question being, shall the minority report be substituted for the report of the Committee.

The ayes and noes were demanded by Messrs. Church and Bellamy.

Those who voted in the affirmative were,

Messrs. Bellamy, Bowman, Cullen, English, Gifford, Hanna, Houghton, Howk, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Oyler, Robinson, Sherrod, Smith, Taggart, Thompson, Ward, Wolcott, and Mr. President—25.

Those who voted in the negative were,

Messrs. Armstrong, Bennett, Brown, Church, Milligan, Newlin, Niles, Noyes, Parrish, Reagan, Reynolds, Rice, Richmond, Stein, and Terry—15.

So the minority report was substituted for the report of the Committee.

The report of the Committee was then concurred in.

Mr. Bennett moved to suspend the order of business, and take up the following message from the House.

Which was agreed to.

MR. PRESIDENT :

I am directed to inform the Senate that the House has concurred in the amendments of the Senate to House bill No. 350, (the Specific

Appropriation bill,) and have attached to said amendments the accompanying amendments :

Amendments of House of Representatives to amendments of the Senate to House bill No. 350 :

First. Add to section forty-five the following: "Provided that no official sanction is hereby given to said reports, either for accuracy or fullness."

Second. Strike out from the last line but one of section forty-five these words, "at the same price per page for the last several volumes," and insert in lieu thereof, "at not exceeding two-thirds of a cent per page."

Third. Add to said amendment the following section :

SECTION —. To O. M. Wilson, for one hundred copies of his Digest of Parliamentary Law, for the use of the members of the House of Representatives, at two dollars and twenty cents per copy, two hundred and twenty dollars.

Mr. Hanna moved to amend as follows :

Amend by adding additional section, that Grafton F. Cookerly be allowed the sum of twenty-five hundred dollars, for destruction of his printing office by a mob of soldiers in Terre Haute, in October, 1861, the same having been recommended by the Committee on Claims of the House at the present session.

Which amendment was not adopted.

The ayes and noes being demanded by Messrs Bennett and Oyler,

Those who voted in the affirmative were,

Messrs. Bowman, English, Gifford, Hanna, Huey, Huffman, Houghton, Lee, Mason, Newlin, Sherrod, Smith and Taggart—13.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cullen, Hyatt, Jaquess, Johnson, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott and Mr. President—27.

So the amendment was not adopted.

The amendments of the House to the amendments of the Senate to House bill No. 350, contained in the foregoing message, were then concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Niles offered the following resolution :

Resolved, That Martin Fenner be allowed \$1.50 per day since February 1st to this day, for taking care of the Judiciary Committee room.

Which was adopted.

By unanimous consent of the Senate, Mr. Cullen introduced

Senate Joint Resolution No. 12. A Joint Resolution authorizing the Governor, Auditor of State, Treasurer and Secretary of State, to hire the prison labor at the State Prisons."

Was read a first time.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Ward, Wolcott and Mr. President—39.

Mr. Church voting in the negative.

So the Joint Resolution passed.

Ordered, That the Secretary inform the House thereof.

Mr. English moved to suspend the rules and read House bill No. 214 a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Bellamy, Bowman, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Newlin, Robinson, Sherrod, Taggart, Thompson, Ward, Wolcott and Mr. President—23.

Those who voted in the negative were,

• Messrs. Armstrong, Bennett, Brown, Church, Milligan, Niles, Noyes, Parrish, Reagan, Reynolds, Rice, Richmond, Stein and Terry—14.

So the rules were not suspended.

House bill No. 158. “A bill in relation to compounding and cancelling of crimes, and the compounding of prosecutions and prescribing penalties therefor.”

Was read a third time.

/ The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstsong, Bennett, Brown, Cason, Gifford, Hanna, Hyatt, Houghton, Johnson, Lee, Lewis, Mason, Milligan, Nilles, Noyes, Oyler, Reagan, Reynolds, Richmond, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—26.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 159. A bill to amend sections six hundred and forty-nine and six hundred and fifty of an act entitled “an act to revise, simplify and abridge the rules, practice, pleading and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Cullen, Gifford, Hanna, Houghton, Huffman, Hyatt, Jaquess, Johnson, Lewis, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Smith, Stein, Terry, Thompson, Ward and Mr. President—28.

Those who voted in the negative were,

Messrs. Bowman, Church, English, Huey, Lee, Niles and Wolcott—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 189. A bill requiring all persons who plat towns, or additions to any town or city in this State, to have the lands embraced in such addition or plats transferred for taxation by the Auditor of the county, and providing for taxing the same.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Cason, Church, Cullen, Gifford, Hanna, Houghton, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Terry, Thompson, Ward, and Mr. President—28.

Those who voted in the negative were,

Messrs. Brown, English, Huey, Stein, Taggart, and Wolcott—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 240. A bill to provide for the inspection of coal oil, petroleum oil, and mixture of coal and petroleum oils, and prescribing penalties for the violation thereof, and providing jurisdiction for the enforcement of penalties.

Was read a third time.

The question being, shall the bill pass?

S. J.—60

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Cason, Church, English, Gifford, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Ward, Walcott, and Mr. President—36.

Mr. Cullen voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 48. A bill in relation to the change of public highways.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—36.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 89. A bill to provide for the construction of sewers within the incorporated towns, defining the powers and duties of town Trustees in relation thereto, and to repeal all laws in conflict therewith.

Was read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Cason, Church,

Cullen, Gifford, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—34.

Mr. Newlin voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 145. A bill to amend the seventh clause of section twenty-two of an act entitled an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties, approved June 11, 1852.

Was read a third time.

The question being, shall the bill ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cullen, Gifford, Houghton, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Robinson, Terry, Thompson, Ward, and Mr. President—26.

Those who voted in the negative were,

Messrs. Bowman, Huey, Huffman, Mason, Newlin, Sherrod, Stein, Taggart, and Wolcott—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 179. "A bill to authorize any person desiring to erect a flouring mill or other machinery to be propelled by water, on his own land, to erect a drain and make a raceway above such mill or machinery on and through land belonging to other persons and to regulate the assessment and payment of damages therefor, being an act supplemental to article 41 chapter 1, of part second of the Revised Statutes of 1852.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Hanna, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Newlin, Niles, Noyes, Oyler, Parrish, Reagan, Reynolds, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—39.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 191. "A bill to amend section 650 of article 36 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of actions at law and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Brown, Cason, Cullen, English, Gifford, Houghton, Hyatt, Jaquess, Lee, Noyes, Parrish, Reagan, Rice, and Thompson—15.

Those who voted in the negative were,

Messrs. Bellamy, Bowman, Church, Johnson, Lewis, Mason, Milligan, Newlin, Niles, Oyler, Reynolds, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Ward, Wolcott, and Mr. President—21.

So the bill did not pass.

House bill 193. A bill amending section 5 of an act declaratory of the law regulating marriages, and enforcing the provisions thereof by proper penalties, approved March 5, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Church, Cullen, Huffman, Hyatt, Jaquess, Johnson, Lewis, Niles, Parrish, Reagan, Rice, Richmond, Robinson, Terry, Thompson, Ward, Wolcott, and Mr. President—20.

Those who voted in the negative were,

Messrs. Bennett, Bowman, Brown, English, Gifford, Houghton, Lee, Mason, Milligan, Newlin, Noyes, Oyler, Reynolds, Sherrod, Smith, Stein, and Taggart—17.

So the bill did not pass for want of a constitutional majority.

House bill No. 207. A bill to amend sections 405 and 406 of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cullen, Gifford, Houghton, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Terry, Thompson, Ward, Wolcott, and Mr. President—33.

Mr. Stein only voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 219, "a bill authorizing the Boards of Commissioners in their several counties to require the Clerk of the Circuit Court to index certain books and dockets, and to provide compensation therefor.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bellamy, Bennett, Bowman, Cason, Church, Cullen, Gifford, Hyatt, Jaquess, Lewis, Niles, Parrish, Reagan, Reynolds, Richmond, Robinson, Smith, Stein, Thompson, Ward, Wolcott, and Mr. President—22.

Those who voted in the negative were,

Messrs. Armstrong, Brown, English, Houghton, Huffman, Johnson, Lee, Mason, Milligan, Noyes, Oyler, Rice, Sherrod, Taggart, and Terry—15.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 223, "a bill regulating charges for transportation of freight by the various railroad corporations doing business in the State of Indiana."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Church, Cullen, English, Gifford, Huey, Hyatt, Johnson, Lewis, Mason, Milligan, Newlin, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Sherrod, Stein, Terry, Thompson, Ward, and Taggart—27.

Those who voted in the negative were,

Messrs. Bowman, Brown, Houghton, Huffman, Jaquess, Lee, Niles, Robinson, Smith, Wolcott, and Mr. President—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 225, "a bill to amend section four of an act containing several provisions regarding landlords, tenants, lessors and lessees," approved May 20, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cullen, Gifford, Houghton, Hyatt, Jaquess, Johnson, Lee, Milligan, Niles, Noyes, Reagan, Reynolds, Rice, Richmond, Stein, Terry, Thompson, Ward, and Mr. President—26.

Those who voted in the negative were,

Messrs. English, Huey, Lewis, Mason, Oyler, Robinson, Sherrod, Taggart, and Wolcott—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 300, "a bill to amend section first of an act entitled an act to amend section first of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, approved January 26, 1861.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Niles, Noyes, Oyler, Parrish, Reagan, Rice, Richmond, Robinson, Sherrod, Smith, tein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—37.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 334, "a bill to legalize the action of the State Board of Equalization at its session in 1864, and declaring the duty of the Auditor of State in relation thereto.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Bennett, Bowman, Cason, Cullen, English, Gifford, Houghton, Huey, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Newlin, Noyes, Oyler, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Ward, Wolcott, and Mr. President—34.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and Mr. Gifford offered the following resolution :

Resolved, That each member of the Committee on the Rights and Privilege of the Inhabitants of this State, be allowed three dollars for every twenty-five miles of travel, in visiting the Soldiers' Home, at Knightstown, in this State, and that the Auditor of State draw his warrant on the Treasurer for said several amounts, upon the certificate of the President of the Senate that said services were rendered in the discharge of their duties connected with the Soldiers' Home.

Which was adopted.

MESSAGES FROM THE HOUSE.

The following messages from the House were taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed Senate bills, to-wit :

Senate bill No. 213. A bill concerning the punishment of women and girls convicted of crimes and misdemeanors, with the accompany-

ing engrossed amendments, in which the concurrence of the Senate is requested.

House engrossed amendments to Senate bill No. 213:

Amend the first section by adding at the end of it these words: "And the Mayor, or City Judge of any incorporated city, may sentence and commit such persons, on conviction, to such Home, for the same period of time that a Circuit or Common Pleas Court could do for a like offense."

The amendments to Senate bill No. 213, contained in the foregoing message from the House, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following enrolled Senate bills to-wit:

No. 41. An act to authorize incorporated towns and townships to subscribe for, purchase, and hold stocks, etc., with amendments.

Engrossed House amendments to Senate bill No. 41:

Amend by striking out of the eighth and ninth lines the words "running into or through such town or township;" also, by striking out of lines twenty, twenty-one, and twenty-two, the words "from the point of commencement to such point or points as are," and inserting in lieu the following, to-wit: "Between such points as shall have been;" also, by inserting after the word "donation," in line thirty-seven, the words "or subscriptions."

The engrossed amendments of the House to Senate bill No. 41, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 29. A bill defining who shall be competent witnesses in any court or judicial proceeding in this State, and to repeal all laws and parts of laws in conflict with the provisions of this bill, with amendments.

Engrossed House amendments to Senate bill No. 29 :

Amend by striking out all after the enacting clause, and inserting the following to-wit: "Every person of competent age may be a witness in any civil or criminal cause or proceeding, and no person shall be disqualified as a witness by reason of interest in the event of that or any other action, or because such person is a party in said action or proceeding, other than criminal, any person party in civil action may testify in his own behalf, or in behalf of any other party or parties therein, and any one person or party in a suit may compel any other person or party therein to testify under the same regulations as other witnesses may be compelled, and the interest in the suit of any witness shall be regarded only as to his or her credibility, and shall not affect his or her competency.

Sec. 2. Persons insane at the time of examination; children under ten years of age and incapable of properly understanding the facts about which they are examined; husband and wife as to matters for or against each other, or as to communication made to each other during marriage, except that the wife shall be a competent witness in cases of prosecutions against the husband for assault and battery upon the person of his wife, and except, also, that in suits by the husband and wife jointly, for an assault and battery upon the wife, such wife shall be a competent witness to prove the assault and battery; attorneys at law, as to confidential communications from a client, or advice given to such client; physicians, as to matters confided to them in course of their profession; clergymen, concerning any confessions made to them in course of discipline enjoined by the Church, shall not, in any case, be competent witnesses, unless with the consent of the party making such confidential communication: *Provided*, That in all suits where an executor, administrator, or guardian is a party in a case where a judgment may render either for or against the estate represented by such executor, administrator or guardian, neither party shall be allowed to testify as a witness unless required by the opposite party, or by the Court trying the cause, except in cases arising upon contracts made with the executor, administrator, or guardian of such estate, and in cases where a party to a suit pending in any Court in this State whose deposition has been taken in such suit, and is on file in such Court, dies, and such suit is prosecuted by or against the executor or administrator of such deceased party, the opposite party shall be allowed to testify on trial of the cause

on all material points and matters of facts embraced in the deposition and no other facts, and such deposition may be read by and on behalf of the representatives of such deceased party.

Provided further, That in all suits by or against heirs, founded on a contract with, or demand against the ancestor, the object of which is to obtain title to, or possession of land or other property of such ancestor to reach or effect the same in any way, neither party shall be allowed to testify as a witness to any matter which occurred prior to the death of such ancestor, unless required by the opposite party, or by the court trying the cause, and the assignor of the plaintiff in any such suit where there has been an assignment of the cause of action shall be deemed and held to be a party within this provision.

Sec. 3. All laws or parts of laws now in force and in conflict with the provisions of this act are hereby repealed.

Sec. 4. It is hereby declared that all emergency exists for the immediate taking effect of this act; therefore, the same shall take effect and be in force from and after its passage.

The engrossed amendments of the House to Senate bill No. 29, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

Senate bill 125. A bill to declare abandoned certain unfinished railroads, and to provide for their completion; to declare forfeited the franchises of certain railroad companies, and for the assessment of the value thereof; for the organization of new companies, and for making annual statements, with the accompanying amendments.

Engrossed House amendments to Senate bill No. 125:

First. Amend by striking out line fifth, of section one, the word "organized."

Second. By striking out the words "either in whole or in part" wherever it occurs, and insert "whose lives are wholly."

The engrossed amendments of the House to Senate bill No. 125, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed Senate bills, with accompanying engrossed amendments, to-wit :

Senate bill No. 79. A bill providing for the incorporation of Electric Telegraph Companies.

House amendments to Senate bill No. 79 :

Amend by inserting "fifty" in the blank in line eleven, section five.

The engrossed amendments of the House to Senate bill No. 79, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 89. A bill providing for the incorporation of Steam Packet Companies.

Engrossed amendments of the House of Representatives to engrossed Senate bill No. 89 :

First. Amend section one by adding thereto the words "and other navigable waters in and out of this State."

Second. Amend section three, in line five, by adding after the words "steamboat," the words "and other boats."

The engrossed amendments of the House to Senate bill No. 189, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed Senate bill No. 206, a bill creating the Twenty-Second Common Pleas District, and making provision therefor, and repealing all conflicting laws, with the accompanying amendments, in which the concurrence of the Senate is requested :

Engrossed House amendments to Senate bill No. 206 :

Amend by striking out the word "second," in the title, and insert "third." Strike out the word "second," in the third line of the first section, and insert "third." Strike out the word "second," in the fifth line of the third section, and insert "third." Strike out the word "second," in the ninth line of the third section, and insert "third." Strike out the word "second," in the fourteenth line of third section, and insert "third."

The engrossed amendments of the House to Senate bill No. 206, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed with amendments, the following, engrossed bill of the Senate, to-wit :

No. 244. "A bill creating the Twenty-Third Common Pleas District, and making provisions therefor, and repealing all conflicting laws.

Engrossed House amendments to Senate bill No. 244 :

Amend by inserting the words "thirty-four" wherever the words "thirty-third" occur in the title and bill.

The engrossed amendments of the House to Senate bill No. 244, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bill of the Senate bill, to-wit :

Senate bill No. 215. "A bill for an act to provide for the spread

of the disease commonly called "hog cholera, and other diseases among domestic animals," with the accompanying engrossed amendments of the House :

Engrossed amendments to Senate bill No. 215 :

Amend the title so as to read as follows: An act to prevent the spread of the diseases commonly called "hog cholera" and "spanish feever," and other diseases among domestic animals, and to prevent the importation of animals affected with any contagious or infectious diseases.

The amendments by the House to the title of Senate bill No. 215, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed Senate bill, to-wit :

No. 246. An act to fix the time of holding terms of the Circuit Courts in the Eleventh Judicial Circuit, with amendments.

Engrossed House amendments to Senate bill No. 246.

Amend by adding the following additional section :

The courts in the county of Huntington shall be held as now provided by law, by the Judge of the Eleventh Judicial Circuit.

Also amend the title by adding the following words: "And also in Huntington county."

The engrossed amendments of the House to Senate bill No. 246, contained in the foregoing message, were concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, Mr. Niles, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill

290, entitled "a bill to amend section 29 of an act entitled an act defining misdemeanors and prescribing punishment therefor," have had the same under consideration and now report it back to the Senate recommending its passage.

Mr. Niles, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary to whom was referred House bill No. 259, entitled a bill to amend the 27th section of an act entitled "an act defining felonies and prescribing punishment therefor," have had the same under consideration, and now report it back to the Senate recommending its passage.

HOUSE JOINT RESOLUTIONS.

House Joint Resolution No. 2. A joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to have the interest bearing debt of the United States first paid.

Was read a third time.

Mr. Hanna moved that the Joint Resolution be indefinitely postponed.

The ayes and noes were demanded by Messrs. Hanna and Church.

Those who voted in the affirmative were,

Messrs. Bowman, Hanna, Smith and Turner—4.

Those who voted in the negative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Culen, English, Gifford, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Stein, Taggart, Terry, Thompson, Ward, Wolcott and Mr. President—33.

So the Joint resolution was not indefinitely postponed.

The question then being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Cason, Church, Cullen, Gifford, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Terry, Thompson, Ward, Wolcott and Mr. President—30.

Those who voted in the negative were,

Messrs. Bowman, English, Hanna and Sherrod—4.

So the Joint Resolution passed.

Ordered, That the Secretary inform the House thereof.

House Joint Resolution No. 11. A Joint Resolution instructing our Senators, and requesting our Representatives in Congress, to secure the passage of a law placing the surviving soldiers of the war of 1812, (who have not received any pension from the Government) upon the pension rolls.

Was read a third time.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cullen, English, Gifford, Houghton, Huey, Huffman, Hyatt, Jaquess, Johnson, Lee, Lewis, Mason, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Ward, Wolcott and Mr. President—37.

No Senator voting in the negative.

So the resolution passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 19. "A bill to regulate and make uniform the prices charged by railroad companies for transporting goods, merchandise, and material to and from stations on railroads in this State."

Was read a third time.

Mr. Bennett moved to lay the bill on the table.

Which was not agreed to.

Mr. Noyes moved to reconsider the vote by which the bill was ordered to a third reading.

Which was agreed to.

Mr. Noyes then moved to reconsider the vote by which the amendments to the bill were adopted.

Which was agreed to.

On motion by Mr. Noyes the amendments to the bill were laid on the table.

The bill was then read a third time.

The question then being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Brown, Cason, Church, Cullen, Gifford, Houghton, Huey, Huffman, Hyatt, Johnson, Lee, Lewis, Mason, Noyes, Parrish, Reagan, Reynolds, Robinson, Sherrod, Stein, Taggart, Terry, Thompson, Turner, and Ward—27.

Those who voted in the negative were,

Messrs. Bennett, English, Hanna, Jaquess, Milligan, Newlin, Richmond, Smith, and Mr. President—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent of the Senate, the order of business was suspended, and

Mr. Bennett offered the following resolution:

Resolved, That the Select Committee, to whom was referred the investigation of the liability of the Terre Haute and Richmond Railroad Company, to the State on account of school fund, under provis-
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ions of the charter of said road, be authorized to complete their investigation after the adjournment of the present General Assembly and make their report to the next General Assembly; provided, that said committee shall not be entitled to pay for more than five day's services.

Which was adopted.

Mr. Bellamy, Chairman of the Committee on Phraseology and Enrollment of Bills, made the following reports:

MR. PRESIDENT:

The Committee on Phraseology and Enrolled Acts, have carefully compared Enrolled Senate bill No. 11, and have found the same to be neatly and correctly done.

MR. PRESIDENT:

The Committee on Phraseology and Enrolled Bills, have carefully examined Enrolled Senate Act No. 245, an act to repeal section 131 of an act entitled "An act to provide for a general system of common schools, the officers thereof, their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Also Enrolled Senate Act No. 151, an act to amend the 11th section of an act entitled "An act touching the relation of guardian and ward," approved June 9, 1852, and regulating suits on bonds of guardians removing from the State, and they would respectfully report that they find said acts neatly and correctly enrolled.

MR. PRESIDENT:

The Committee on Phraseology and Enrolled Bills, have examined Enrolled (Senate) Act No. 212, "An act to regulate the arrest and surrender of fugitives from justice from other States and Territories," and they find said act carefully and correctly enrolled.

A message from the Governor, by his private Secretary.

MR. PRESIDENT:

I am directed by the Governor to inform your honorable body that he has approved and signed Enrolled Act No. 8, "An act to provide for the care and custody of the person and estate of habitual drunkards."

Also Enrolled Act No. 111, an act authorizing Township Trustees, Trustees of incorporated towns, and the Common Council of cities to levy a tax for school purposes."

Also Enrolled Act No. 174, an act for the relief of Peter Wells and Benoni Wells."

Also Enrolled Act No. 58, an act to amend an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State, approved June 21, 1852.

Also Enrolled Act No. 43, an act to amend section fifteen of an act entitled an act to provide for the opening, vacating, and change of highways, approved June 17, 1852.

Also Enrolled act No. 93, an act concerning interest on money, and to provide for recoupment of usurious interest.

Also Enrolled Act No. 32, an act to provide for issuing *capias ad satisfaciendum*, when in actions for replevin of personal property, defendant shall fraudulently conceal, remove, transfer, withhold, or refuse to deliver said property, and providing the manner of proceedings to obtain said writ in certain cases therein specified.

Also Enrolled Act No. 143, an act to amend an act entitled an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological and Missionary Boards, approved February 28, 1855.

Also Enrolled Act No. 86, an act supplemental to an act entitled an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological Institutes, and Missionary Boards, approved February 28, 1855.

Also Enrolled Act No. 30, an act to provide for the protection of fish, defining the time in which they may be trapped, netted or seined, affixing the penalty for the violation of this act, and declaring an emergency.

Also Enrolled Act No. 105, an act to amend section five of an act entitled act providing for an organization of Civil Circuit Courts, the election of Judges thereof, and defining their powers and duties, approved June 1, 1852, and providing for Criminal and Civil Circuit Courts, approved December 20, 1865.

Also Enrolled Act No. 118, an act to require clerks of the Courts of Common Pleas to specify, by reparate items, the fees and services for which they may demand payment of Executors, Administrators, or Guardians.

Also Enrolled Act No. 11, an act to amend sections three and fourteen of an act entitled an act to allow County Commissioners to organize Turnpike Companies, where three-fifths of the persons representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction, and provide for the same to be free, approved March 6, 1865.

Also Enrolled Act No. 245, an act to repeal section 131 of an act entitled an act to provide for a general system of Common Schools, the officers thereof, their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and that the same have been deposited in the office of the Secretary of State.

Messages from the House by Mr. Nixon, the clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled acts: Of

House, 275, 276, 17; of Senate, 118, 11, 245; and that the House has passed, without amendments, Engrossed Senate bills Nos. 175, 236; and that the House has receded from its amendments to Senate bill No. 40; and that the House has passed Senate bill No. 237, an act creating the Nineteenth, Twentieth, and Twenty-first Judicial Circuits, and providing for the election of Judges, Prosecuting Attorneys, etc.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following Engrossed Senate bills to-wit: Nos. 54 and 203, without amendments.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled acts of House, Nos. 4, 107, 144, 341, 91, 40, 211, and 277.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed enrolled Senate act No. 151.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed Senate bills, without amendments, to-wit:

No. 175. An act for the incorporation of companies for the purposes of erecting and maintaining buildings to be used or occupied, in whole or in part, for Masonic meetings, purposes, or in any way for the accommodation or convenience of Mason bodies or lodges.

No. 242. An act to amend section five of an act to amend an act entitled an act for incorporating the Wabash Manual Labor College, and Teacher's Seminary, approved February 8, 1857.

No. 215. A bill for an act to prevent the spread of the disease commonly called "hog cholera," or other diseases among domestic animals.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker has signed enrolled Senate act No. 212.

Also, No. 140. An act authorizing Insurance Companies to re-insure their risks, etc.

Also, No. 223. An act to amend the first section of an act entitled an act to amend the fortieth clause of section thirty of an act entitled an act granting to the citizens of Evansville, in the county of Vanderburg, a city charter, etc.

On motion by Mr. Oyler, the Senate adjourned.

MONDAY MORNING, 9 o'clock, }
 March 11, 1867. }

The Senate met.

On motion by Mr. Cullen, the reading of the Journal was dispensed with.

RESOLUTIONS.

Mr. Cullen offered the following resolution :

Resolved, That Wm. H. Schlater be allowed fifty dollars for ten days services in the Journal Department of the Senate, and that the President of the Senate be and is hereby authorized to sign a warrant for that amount.

Which resolution was adopted.

Mr. Wolcott offered the following concurrent resolution :

A Concurrent Resolution, tendering the thanks of this General Assembly to Governor Conrad Baker :

Be it resolved by the General Assembly of the State of Indiana, That the thanks of this General Assembly be, and they hereby are respectfully tendered to his Excellency, Governor Conrad Baker, for the uniform urbanity, kindness and courtesy displayed by him in all his personal and official intercourse with the members of this Assembly, and for his zealous and faithful discharge of his official duties.

Which was adopted.

Ordered, That the Secretary inform the House thereof.

Mr. Oyler offered the following resolution :

Resolved, That T. G. Palmer be allowed five dollars per day during the present session for keeping the individual accounts of the members and employes of the General Assembly.

Mr. Terry moved to amend the resolution by striking out "five" where it occurs and inserting "two" in lieu thereof.

On motion by Mr. Johnson, the resolution and amendment were laid on the table.

Mr. Church offered the following resolution :

WHEREAS, The compiler of the Brevier Reports makes out the index to that volume without extra charge to the State : *And whereas*, correspondence by letter will facilitate the receipt of said Reports by members. Therefore,

Be it resolved, That the Librarian furnish the said compiler with stationery, stamps, &c., in the same manner that officers of that body have been furnished.

Which was adopted.

Mr. Oyler offered the following concurrent resolution :

A Concurrent Resolution authorizing and instructing the Secretary of State, Auditor of State, and Treasurer of State, to rent offices for the State officers.

Resolved by the Senate, the House concurring, That his Excellency the Governor, Secretary of State, Auditor of State, and Treasurer of State, be hereby directed and instructed, if in their discretion it shall be deemed advisable to do so, at the earliest practicable time, to rent suitable buildings for the use of the State officers, at a price not exceeding three thousand dollars per year, said renting not to be for a longer time than the time of the completion of the buildings authorized by the act of this General Assembly.

Which concurrent resolution was adopted.

Ordered, That the Secretary inform the House thereof.

Mr. Oyler offered the following resolution :

Resolved, That the Secretary of State be authorized to have bound and sent to each member of the Senate, and the Officers, Clerks, and Reporters thereof, three copies of the Legislative Brevier Reports ; also two copies each of the Senate and House Journal, Documentary, Agricultural and Horticultural Reports, and also two copies of the acts of the present session, all to be bound in full law, and first and last volume of the Adjutant General's Reports.

Which was adopted.

Mr. Cravens offered the following concurrent resolution :

Resolved, by the Senate, the House of Representatives concurring,
That the Governor of the State of Indiana, shall appoint three commissioners, whose duty it shall be, after having, before some competent officer, taken an oath to faithfully and impartially discharge their duties, to proceed to hear, determine and adjust all claims for losses which have heretofore accrued by reason of the injury, destruction, loss or impressment of property had or held by any inhabitant of the State of Indiana by rebel forces under the command of the rebel John Morgan, in the year 1863, or caused by the State or National forces engaged in repelling said invasion, or caused by organizing and equipping troops to repel the threatened invasion of the State by the rebel forces under the command of Adam Johnson in the year 1864.

2. All persons having such claims as aforesaid, shall, on or before the first day of June, 1867, file with the clerk of the Circuit Court, in the counties of Posey, Knox, Vanderburgh, Warrick, Daviess, Pike, Gibson, Harrison, Floyd, Washington, Jackson, Scott, Clark, Jennings, Bartholomew, Lawrence, Orange, Perry, Spencer, Crawford, Jefferson, Brown, Ripley, Dearborn, Decatur, Fayette, Franklin, Switzerland, Ohio, and Johnson, the claims hereinafter required. And it shall be the duty of said Clerks to file said claims in their respective offices, and immediately after said first day of June, 1867, make out and forward to said Commissioners a complete list of the names, numbers and amount of said claims. Each claim filed with the Clerk as aforesaid, shall contain a plain and concise statement of the property lost, injured, impressed or destroyed, the nature of the injury and the amount of damage sustained, and in what county, and at or about what time the loss occurred ; and (if the fact is known) whether it was caused by the rebel, or by the State or National forces ; also, that such claimant has received no compensation for such loss, and did not invite, encourage or assist said raids, or any of them, which claim shall be verified by the oath of the claimant.

3. The Governor shall also appoint an Attorney who shall be present at all the meetings of said Commissioners, and shall act as the Attorney of the State, and shall look after and protect the interests of the State ; said Attorney shall, before entering upon his duties, take an oath to faithfully discharge the duties of his office.

4. Said Commissioners shall have power to appoint a clerk, who shall take an oath to discharge the duties of his office; and it shall be the duty of said clerk to keep a complete record of the proceedings of said Commission, and file and preserve the papers thereof under the direction of said Commissioners.

5. Said Commissioners shall organize on or before the first Monday of June, 1867, and a session of said Commissioners shall be held at the county seat of each one of the counties through which the raid of said Morgan's forces was made, and at such other places as said Commissioners may determine; due notice shall be given of the time and place of such meetings by the Commissioners, and the Clerk of each county shall also notify each claimant of the time and place the Commissioners are to meet in such counties.

6. The Commissioners shall have power to compel the attendance of witnesses and administer oaths in the same manner as is provided by law for the Circuit Courts, and the Sheriff of the county in which the Commissioners are holding their sessions shall be required to serve all process required by said Commissioners, but the State shall in no event be liable for the cost of witnesses summoned in behalf of the claimants, nor for the cost of summoning such witnesses.

7. Said Commissioners shall examine all claims duly presented, and ascertain the amount of loss thereon, and whether the claim be meritorious, as upon the evidence before they may deem just and equitable, separating said claims into the following classes:

First. Claims for property taken or destroyed or injured by the Union forces under command of United States officers.

Second. Claims for property taken or destroyed or injured by the Union forces under State officers.

Third. Property taken or destroyed or injured by the rebels.

Fourth. Property taken or destroyed or injured where claimant is unable to identify by which the loss occurred.

8. Said Commissioners shall have power to adopt all such forms, rules, and regulations as may be necessary and proper to facilitate the discharge of their duties; and they shall require the clerk of said Commission to make a complete record of each claim presented and a comprehensive abstract of the testimony taken, and also the finding of said Commission, or its decision thereon, which decision shall

be signed by said Commissioners and attested by the clerk ; and upon the completion of their labors, or on or before the first day of January, 1868, said Commissioners shall report their proceedings, their findings, and the facts upon which each claim is founded, to the Governor, who shall report the same to the next General Assembly with his recommendation thereon. The Governor shall also recommend the amount of compensation which shall be paid said Commissioners and other officers in this resolution: *Provided*, That not more than \$3,000 be used to defray the expenses of such Commission. The Governor shall cause this resolution to be published and ten copies forwarded to the Clerk of each of the counties hereinbefore mentioned, who shall have the same posted up in public places and copied into the newspapers of such county, if any be published therein.

Mr. Church moved to amend the resolution by inserting at the proper place :

Provided, That not more than two thousand dollars be used to defray such expenses.

Which was not agreed to.

On motion by Mr. Turner, a call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Armstrong, Bellamy, Bennett, Bowman, Brown, Cason, Church, Cravens, Cullen, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hyatt, Johnson, Lewis, Mason, Milligan, Newlin, Oyler, Reagan, Rice, Richmond, Robinson, Sherrod, Smith, Stein, Taggart, Terry, Thompson, Turner, Ward, Wolcott, and Mr. President—36.

On motion the further call was dispensed with.

Mr. Bellamy moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question be now put ?

It was agreed to.

The question then being, shall the resolution be adopted?

The ayes and noes were demanded by Messrs. Cravens and Terry.

Those who voted in the affirmative were,

Messrs. Bellamy, Bowman, Brown, Church, Cravens, Cullen, English, Gifford, Hanna, Huey, Huffman, Humphreys, Hyatt, Johnson, Lewis, Mason, Oyler, Richmond, Robinson, Sherrod, Smith, Taggart, Thompson, Turner, Ward, Wolcott and Mr. President—27.

Those who voted in the negative were,

Messrs. Armstrong, Bennett, Cason, Milligan, Noyes, Parrish, Reagan, Reynolds, Rice, Stein and Terry—11.

So the Concurrent Resolution was adopted.

Mr. Sherrod offered the following resolution :

WHEREAS, At the beginning of the late civil war it was declared that the war should not be prosecuted in a spirit of conquest or subjugation nor for the purpose of overthrowing or interfering with the rights or institutions of the States, but to maintain the supremacy of the Constitution and to preserve the Union, with all the dignity, equality and rights of the several States unimpaired, and that as soon as their objects are accomplished, the war ought to cease ;

AND WHEREAS, To carry into execution this solemn pledge a bloody war of four years was waged by the patriotic soldiers of the Republic, terminating in the surrender of all those in arms against the Government, and in the complete submission of the people of the Southern States to the authority of the Federal Government ;

AND WHEREAS, For nearly two years no organized resistance has been offered in any one of the States lately involved in the rebellion, to the authority of the Federal Government, and no impediment exists to prevent the civil authorities of the United States from carrying into complete effect the solemn pledge made by the Government in the name of the people ; therefore,

Resolved by the Senate, the House of Representatives concurring,
That it is the solemn judgment of the General Assembly of the State

of Indiana, that the long delay in bringing about a complete restoration of political relations between the Federal Government and the States lately involved in the rebellion, has been caused, not by a desire to "preserve the Union with all the dignity, equality and rights, of the several States unimpaired," but to enable a radical majority in Congress to force upon the people of the Southern States the odious doctrine of "negro equality and negro suffrage."

That the measures of the late Congress in extending the right of suffrage to the negroes of the District of Columbia, and in all the Territories of the United States, and in forcing the people of Nebraska and other new States, offering themselves for admission, to so amend their Constitutions as to strike out all distinction on account of race or color, are but a part of a general plan to establish the right of suffrage in this country upon the basis of negro equality, and meets with our unqualified condemnation.

That the late act of Congress, known as the military bill, passed over the President's veto, establishes a military despotism in ten States of the Union, and leaves to the people thereof no escape from the tyranny thus established over them, except in the formation of new State Governments on the basis of negro equality, and in all its features, is in conflict with the declaration of principles under which the war was conducted and carried through to a success, as well as at war with every principle of a free government.

That we, the people of Indiana, are opposed to negro suffrage in all its phases; that we do not intend that it shall be adopted in our State, nor do we intend to divide the political power of our State with this African race, and we do not believe it manly or just to force upon an unwilling people, laws and institutions that are distasteful to ourselves, and we therefore instruct our Senators and request our Representatives in Congress, in all measures designed to restore political relations with the Southern States, to leave the people of those States free to adopt or reject negro suffrage, as to them may seem best for their interest and welfare, hoping that the action of the people everywhere shall be such as to leave our Government what our fathers made it, a white man's Government.

Mr. Cullen moved to refer the resolution to the Committee on Federal Relations.

Mr. Cullen moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question be now put?

It was agreed to.

The question then being, shall the resolution be referred to the Committee on Federal Relations.

The ayes and noes were demanded by Messrs. Hanna and Sherrod.

Those who voted in the affirmative were,

Messrs. Armstrong, Bellamy, Bennett, Brown, Church, Cravens, Cullen, Hyatt, Lewis, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Robinson, Stein, Terry, Thompson, Ward, Wolcott and Mr. President—22.

Those who voted in the negative were,

Messrs. Bowman, English, Gifford, Hanna, Huey, Huffman, Mason, Newlin, Sherrod, Smith, Taggart and Turner—12.

So the resolution was referred to the Committee on Federal Relations.

Mr. Hanna moved that the Committee on Federal Relations have leave of absence for fifteen minutes, and that they be instructed to report upon the foregoing resolution within that time.

Mr. Cullen moved to lay the motion on the table.

The ayes and noes were demanded by Messrs. Hanna and Cullen.

Those who voted in the affirmative were,

Messrs. Armstrong, Brown, Church, Cravens, Cullen, Hyatt, Lewis, Milligan, Noyes, Oyler, Parrish, Reagan, Reynolds, Robinson, Stein, Terry, Thompson, Ward, Wolcott, and Mr. President—20.

Those who voted in the negative were,

Messrs. Bowman, English, Gifford, Hanna, Huey, Huffman, Mason, Newlin, Sherrod, Smith, Taggart, and Turner—12.

So the motion was laid on the table.

Mr. Wolcott offered the following resolution :

Resolved, That the thanks of the Senate are hereby tendered to the Secretaries of the Senate, and their assistants, the Doorkeeper, and his employees, for the faithful, impartial, and courteous manner with which they have discharged the duties of their respective stations.

Which was adopted.

Mr. Thompson offered the following concurrent resolution :

Resolved by the Senate, the House concurring, That the Judges of the Supreme Court are hereby authorized to remove the law library from the State House, to any building that they may rent for the use of said Court, and they shall have exclusive control of said library.

Which was adopted.

Ordered, That the Secretary inform the House thereof.

Mr. Stein offered the following resolution :

Resolved, That the principal Secretary of this Senate, is hereby authorized to file all books, bills, and papers of this Senate, upon the adjournment thereof, with the State Librarian, taking his receipt for the same, which receipt shall be filed among the other papers, and placed upon the Journal, and said Secretary is hereby instructed to make, and publish in the Journal, a complete calender of all the bills and joint resolutions of the Senate, for the convenient use of the members, in case of an extra session ; and that for all such work done adjournment, such Secretary shall receive five dollars per day for every day actually employed, the time to be sworn to by him, and certified by the President of the Senate, upon which certificate the Auditor shall issue his warrant, and said Secretary shall be paid out of money appropriated for the payment of other legislative expenses, provided said pay shall not exceed twenty-five dollars.

Which was adopted.

Mr. Stein offered the following resolution :

WHEREAS, On the 18th of January, 1866, his Excellency, Conrad Baker, then acting Governow, now Governor of the State of In-

diana, in view of the expediency of securing a proper representation of the industrial and mechanical interest of the State at the Universal Exhibition to be held at Paris during the present year, issued an appointment to John A. Wilstach, of Lafayette, as Commissioner for the encouragement of emigration, which appointment was made dependent upon future ratification by the General Assembly of the State ;

AND WHEREAS, The said John A. Wilstach, since said date, has been devoting himself to the duties of said appointment, and is now in Paris engaged in the labors incident thereto, and it hence becomes proper that said appointment should receive the sanction and authority of the Legislature of the State ; therefore,

Be it resolved by the Senate, the House of Representatives concurring therein, That the appointment issued as aforesaid to the said John A. Wilstach, by acting Governor Conrad Baker, be, and the same is hereby ratified and confirmed.

Which was adopted.

Ordered, That the Secretary inform the House thereof.

MESSAGES FROM THE HOUSE.

The following messages from the House were taken up :

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following concurrent resolution :

Resolved, the Senate concurring, That a committee of two, on the part of the Senate, and three, on the part of the House, be appointed to confer with the Governor, and ascertain whether he has any further communication to this General Assembly, and the Speaker has appointed, on the part of the House, Messrs. Higgins, Thacher, and Daggy.

The concurrent resolution, contained in the foregoing message, was agreed to by the Senate, and the President appointed Messrs. Hyatt and English said committee, on the part of the Senate.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following concurrent resolution, to which the concurrence of the Senate is respectfully requested :

Resolved by the House of Representatives, the Senate concurring, That the State Printer is hereby authorized to print, or cause to be printed, six hundred copies of the acts of the General Assembly, passed at the present session, in the German language.

The resolution, contained in the foregoing message, was agreed to by the Senate.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT :

I am directed to inform the Senate that the House has passed the following concurrent resolution :

WHEREAS, The General Assembly, at its present session, passed a Joint Resolution creating Military Claim Agencies, at the city of Washington and Indianapolis, for collection of soldier's claims against the General Government, and the friends of said resolution having urged, as a reason of its passage, that it was intended to benefit the soldiers only,

Therefore be it resolved by the House of Representatives, the Senate concurring, That we earnestly recommend his Excellency, Governor Conrad Baker, to appoint to said agencies none but soldiers who served in the war for the suppression of the late rebellion, at least three years, or have been wounded, and shall have received an honorable discharge from the United States army.

Mr. Bennett moved that the resolution, contained in the foregoing message, lie on the table.

Which was agreed to.

Ordered, That the Secretary inform the House thereof.
S. J.—62.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following concurrent resolution, to which the concurrence of the Senate is respectfully requested :

Resolved, the Senate concurring, That the Auditor of State is authorized to sell, at public or private sale, an old pile driver belonging to the State, now at or near Broad Ripple, in Marion county, and that the proceeds thereof be paid into the treasury, to be disposed of according to law.

The resolution, contained in the foregoing message, was adopted by the Senate.

Ordered, That the Secretary inform the House thereof.

The President laid before the Senate the following report from the State Librarian,

Which was laid on the table.

Report of Stationery and Stamp Account of Members, Elective Officers, and Committees of the Senate :

GENTLEMEN :—In accordance with the resolution of your honorable body, I herewith transmit a statement of the amount of stationery, stamps, etc., issued to individual members, elective officers, and committees of the Senate.

All of which is respectfully submitted.

B. F. FOSTER,
State Librarian.

March 9, 1867.

M. L. Robinson—Thirteen quires legal cap, \$7.65; two quires Congress letter, 80 cents; two quires note, 50 cents; four packages buff envelopes, 60 cents; one package legal envelopes, 30 cents; two packages white envelopes, 35 cents; one-half dozen pencils, 40 cents; one-half dozen holders, 5 cents; one box pens, 25 cents; one bottle mucilage, 25 cents; one bottle ink, 10 cents; one ink-stand, 90 cents; one hundred and fifty two-cent stamps, \$3.00; two hundred and sixty-six three-cent stamps, \$7.98; stationery, \$16.85.

Thos. C. Jaquess—Four quires Congress letter, \$1.60; eight packages buff envelopes, \$1.20; one-quarter sheet blot pad, 5 cents; three quires legal cap, \$1.65; two quires Congress, 80 cents; two quires foolscap, 90 cents; two quires note, 50 cents; two packages legal envelopes, 60 cents; four packages white envelopes, 70 cents; one-half dozen pencils, 40 cents; two holders, 5 cents; one box pens, 25 cents; four hundred and eighty-six three-cent stamps, \$14.58; one hundred and fifty two-cent stamps, \$3.00; stationery, \$14.50.

J. A. Stein—One-half ream legal cap, \$5.00; one-half ream Congress letter, \$4.00; eight packages legal envelopes, \$2.20; one bottle mucilage, 25 cents; one box pens, 25 cents; one bottle ink, 10 cents; eight packages white envelopes, \$1.42; one gross gum bands, \$3.50; two hundred and fifty two-cent stamps, \$5.00; two hundred three-cent stamps, \$6.00; \$12.18 in stationery.

J. W. Newlin—Three packages buff envelopes, 45 cents; fifty-one quires Congress letter, \$20.40; five hundred and sixty-six three-cent stamps, \$16.98; one hundred and fifty two-cent stamps, \$3.00.

Anson Walcott—One ream legal cap paper, \$11.00; one-half ream note, \$2.25; four packages legal envelopes, \$1.00; six packages buff envelopes, 90 cents; one-half gross pens, 75 cents; one bottle ink, 10 cents; one-half sheet blot pad, 10 cents; one bottle mucilage, 25 cents; one inkstand, 50 cents; one inkstand, 90 cents; one-quarter ream foolscap, \$2.25; six pencils, 40 cents; six holders, 5 cents; five hundred three-cent stamps, \$15.00; two hundred and fifty two-cent stamps, \$5.60.

Geo. V. Howk—Twelve quires legal cap, \$6.00; five quires note, \$1.20; two packages legal envelopes, 60 cents; four packages buff envelopes, 60 cents; two packages white envelopes, 35 cents; one dozen pencils, 75 cents; one-half dozen holders, 5 cents; one box pens, 25 cents; one-quarter sheet blot pad, 5 cents; one bottle mucilage, 25 cents; one inkstand, 90 cents; one hundred and fifty-two two-cent stamps, \$3.04; five hundred and sixty-six three-cent stamps, \$16.98; stationery, \$9.02.

Thos. N. Rice—Fourteen quires legal cap, \$7.00; ten and one-half quires Congress letter, \$4.20; twenty-one packages buff envelopes,

\$3.65; four hundred and sixty-six three-cent stamps, \$13.98; stationery, \$5.00.

W. W. Carson—One quire legal cap, 55 cents; one-quarter ream note, \$1.00; one package white envelopes, 18 cents; one-half dozen pencils, 40 cents; two quires foolscap, 90 cents; one box pens, 25 cents; one bottle mucilage, 25 cents; six penholders, 5 cents; one hundred two cent stamps, \$2.00; six hundred three-cent stamps, \$18.00; stationery, \$6.27.

B. W. Hanna—One and a quarter reams note paper, \$5.00; two quires legal cap, \$1.10; twelve packs buff envelopes, \$2.05; one-quarter sheet blotting pad, 5 cents; one box white envelopes, \$1.75; sixteen quires Congressional letter, \$6.40; one box pens, 25 cents; three hundred two-cent stamps, \$6.00; three hundred and eighty three-cent stamps, \$11.40; stationery, \$6.00.

Robert Huey—Two packs legal envelopes, 50 cents; two packs buff envelopes 30 cents; 6 pencils, 40 cents; one hundred and fifty two-cent stamps, \$3.00; five hundred and sixty-six three-cent stamps, \$16.89; stationery, \$18.80.

John Reynolds—One ream note paper; four packs buff envelopes; four packs white envelopes; one bottle mucilage; one-quarter sheet blotting pad; two hundred and fifty two-cent stamps; four hundred and ninety-nine three-cent stamps; stationery, \$9.12.

C. S. Parrish—One ream Congressional letter; one-quarter ream legal cap; one-half ream foolscap; three packs buff envelopes, 45 cents; two packs legal envelopes, 50 cents; one-half dozen pencils, 40 cents; one gross pens, \$1.25; one sheet blotting pad, 10 cents; one inkstand, 50 cents; pen holder and pens, 40 cents; one hundred and fifty two-cent stamps; two hundred and sixty-six three cent stamps; stationery, \$10.60.

F. G. Armstrong—One and a half quires legal cap paper, 85 cents; four and a half quires foolscap, \$2.05; four and a half quires Congress letter paper, \$1.80; twenty-one and a half quires note paper, \$4.40; six packs buff envelopes, \$1.05; five bunches white envelopes, 90 cents; two boxes pens, 50 cents; one sheet blotting pad, 25 cents; half a dozen pencils, 40 cents; two bottles mucilage; one quart ink,

\$1.00; two hundred and fifty two-cent stamps; six hundred three-cent stamps; stationery, \$4.00.

J. C. Milligan—Half a ream legal cap paper, \$5.00; one pack buff envelopes, 18 cents; one pack white envelopes, 18 cents; five hundred and sixty-six three-cent stamps, \$16.98; one hundred and fifty two-cent stamps, \$3.00; stationery, \$14.67.

T. J. Cason—One bottle mucilage, 25 cents; one hundred three-cent stamps; one hundred and fifty two-cent stamps; stationery, \$33.75.

And. Houghton—Sixteen and a half quires Congress letter, \$6.60; sixteen quires note, \$4.50; one pack legal envelopes, 25 cents; four packs buff envelopes, 65 cents; four packs white envelopes, 70 cents; eighteen dozen pens; half a dozen pencils; pens and holders, 15 cts.; one-quarter sheet blotting pad, 5 cents; three quires legal cap paper, \$1.65; one quire foolscap, 45 cents; one hundred and fifty two-cent stamps, \$3.00; two hundred and eighty-six three-cent stamps, \$8.58; stationery, \$12.00.

E. B. Noyes—Half a quire Congress letter paper, 20 cents; half a quire note paper, 15 cents; two packs buff envelopes, 30 cents; two pencils, 15 cents; stationery, \$28.20; one hundred and fifty two-cent stamps, \$3.00; two hundred and sixty-six three-cent stamps, \$7.98.

Thomas Ward—Two quires legal cap paper; four quires foolscap; two quires Congress letter; one-quarter ream note paper; two packs legal envelopes; two packs white envelopes; two packs buff envelopes; one lead pencil; one penholder; one box pens; one hundred and fifty two-cent stamps; five hundred and sixty-six three-cent stamps; one bottle red ink; stationery, \$13.05.

Thomas P. Reagan—Two quires legal cap paper; four quires foolscap; two quires Congress letter; six quires note paper; two packs legal envelopes; four packs buff envelopes; one dozen pencils; one dozen penholders; one gross pens; two hundred and fifty two-cent stamps; three hundred three-cent stamps; stationery, \$12.75.

Wm. A. Bonham—One pack white envelopes; seven packs buff envelopes; one pack legal envelopes; one and a half quires legal cap

paper; half a quire of foolscap paper; half a quire Congress letter; one and a half quires note paper; one dozen penholders; one gross pens; one inkstand; half a sheet blotting pad; stationery, \$23.22; one hundred and sixty two-cent stamps; two hundred and sixty three-cent stamps.

W. C. Thompson—One hundred and fifty two-cent stamps; four hundred and sixty-six three-cent stamps; three-quarters of a ream note paper; stationery, \$20.00.

D. R. Brown—Three packs buff envelopes; one sheet of blotting pad; one-quarter ream note paper; two packs white envelopes; one hundred and fifty two-cent stamps; five hundred and sixty-six three-cent stamps; stationery, \$17.10.

N. P. Richmond—One hundred and fifty two-cent stamps; five hundred and sixty-six three-cent stamps; stationery, \$20.00.

S. S. Terry—Fifty two-cent stamps; six hundred and thirty-two three-cent stamps; stationery, \$20.00.

Abner Lewis—Four quires legal cap paper; one quire of note paper; five quires of foolscap; two pack buff envelopes; two packs white envelopes; half a sheet of blotting pad; two hundred and seventy two-cent stamps; one hundred three-cent stamps; stationery, \$26.00.

Firman Church—One-quarter ream Congress letter; one box buff envelopes; one hundred and fifty two-cent stamps; five hundred and fifty-seven three-cent stamps; stationery, \$17.00.

S. P. Oyler—One-fifth of a ream legal cap, \$2.20; two quires Congress letter, 80 cents; three quires note, 75 cents; one pack buff envelopes, 15 cents; one pack white envelopes, 18 cents; one sheet blotting pad, 10 cents; colored pencil, 25 cents; two hundred and sixty-six three-cent stamps, \$7.98; one hundred and fifty two-cent stamps, \$3.00; stationery, \$24.72.

S. F. Johnson.—One-quarter ream legal cap; one-quarter ream foolscap; one-quarter ream Congress letter; one-half ream note paper; two bunches buff envelopes; one bunch white envelopes; one lead pencil; one-half dozen pens; one sheet blotting pad; seventy-

six 2 cent stamps; six hundred and sixteen 3 cent stamps. To stationery at Merrill's, \$10.50.

F. J. Bellamy.—Twelve quires legal cap; one-half ream Congress letter; one-half ream note paper; one dozen pencils; one box pens; three bunches buff envelopes; one hundred and sixty two-cent stamps; two hundred and sixty three-cent stamps; one-quarter sheet blotting pad. To stationery, \$15.30.

Wm. Hyatt.—One-quarter realm legal cap; two quires foolscap; two quires note paper; two bunches buff envelopes; two bunches white envelopes; one dozen pencils; one-half dozen pen holders; one box pens; one bottle ink; one bottle mucilage; one hundred and fifty two-cent stamps; two hundred and sixty-six three-cent stamps. To stationery, \$22.85.

Jno. Humphreys.—One box pens; one-quarter sheet blotting pad; two quires legal cap; two quires Congress letter; two packs buff envelopes; two pencils; two penholders; two hundred and fifty two-cent stamps; two hundred three-cent stamps. To stationery, \$26.30.

T. G. Lee.—Two packs buff envelopes; twenty-six pencils; one dozen pen holders; three dozen pens; forty-two quires of Congress letter; one-quarter ream legal cap; one bunch legal envelopes; one hundred and fifty two-cent stamps; two hundred three-cent stamps. Stationery \$9.00.

James L. Mason.—One ream legal cap; one ream note; one box buff envelopes; one hundred two-cent stamps; four hundred and thirty-three three-cent stamps. Stationery, \$9.25.

Wm. A. Cullen.—Twenty-two and one-half quires legal cap; twenty quires Congress letter; two quires note; one hundred and fifty two-cent stamps; one hundred three-cent stamps. Stationery, \$14.00

T. W. Bennett.—One ream legal cap; one ream Congress letter; one-quarter ream note; ten pencils; one hundred and fifty two-cent stamps; five hundred and sixty-six three-cent stamps.

Isaac Kinley.—Three-quarter ream Congress letter paper; five bunches buff envelopes; nine quires legal cap paper; eleven and one-half quires foolscap paper; one penholder; one box pens; ten

quires note paper ; two packs legal envelopes ; twelve packs white ; one bottle mucilage ; one hundred and fifty two-cent stamps ; three hundred and fifty-six three-cent stamps.

Wm. Taggart.—One box pens ; three pencils ; one bottle mucilage ; one ream foolscap paper ; seven packs buff envelopes ; one hundred and fifty two-cent stamps ; five hundred three-cent stamps. Stationery, \$10.00.

Will Cumback.—Two quires legal cap ; four quires Congress letter ; one quire note ; two packs legal envelopes ; four packs white envelopes ; three pencils ; two penholders ; one dozen pens ; one blotting pad ; one inkstand ; three hundred and fifty two-cent stamps ; two hundred three-cent stamps, Stationery, \$18.85.

Thos. Gifford.—One inkstand ; seventy-five two-cent stamps ; three hundred and fifty three-cent stamps. Stationery, \$12.50.

Jno. Hunt.—One bottle ink ; one hundred and fifty two-cent stamps ; one hundred three-cent stamps. Stationery, \$6.10.

Wilson Smith.—Four quires legal cap ; two quires foolscap ; four quires note ; two packs buff envelopes ; two packs white ; one lead pencil ; one sheet blot pad ; one pack legal envelopes ; one inkstand ; two hundred and fifty two-cent stamps ; two hundred three-cent stamps ; \$16.66.

Jno. B. Niles.—Four packs buff envelopes ; three-quarter ream Congress letter ; three quarter ream note ; four packs white envelopes ; four hundred three-cent stamps ; \$22.47.

W. S. Turner.—Three quires legal caps ; three quires foolscap paper ; twelve quires Congress letter ; eleven quires note paper ; five packs buff envelopes ; two packs white envelopes ; eight pencils ; five penholders ; two and one half dozen pens ; one bottle ink ; two sheets blotting pad ; one bottle mucilage ; one inkstand , two hundred and fifty two-cent stamps ; two hundred three-cent stamps ; tationery, \$10.75 ; \$40.00..

W. S. Sherrod.—Two hundred and sixty-six three-cent stamps; one hundred and fifty two-cent stamps; 11.00.

Jno. A. Bowman.—One hundred and fifty two cent stamps; five hundred and sixty-six three-cent stamps; \$20.00.

E. G. English.—One quire legal cap paper; two quires note paper; two bottles ink; two packs white envelopes; one-quarter sheet blotting pad; one bottle mucilage; one inkstand; one pack buff envelopes; six pencils; one box pens; one hundred and fifty two-cent stamps; five hundred and sixty-six three-cent stamps; stationery, \$10.00; \$33.61

Jno. R. Cravens.—Three quires legal cap paper; one quire fools-cap; two quires Congress letter; two quires note paper; four packs buff envelopes; two packs white; six pencils; one dozen penholders; one box pens; one bottle mucilage; one inkstand; stationery, \$14.10; \$25.80.

Elijah Huffman.—Eleven and one-fifth quire note paper; six packs buff envelopes; six quires legal cap paper; one-quarter ream fools-cap; one-quarter ream Congress letter, five packs white envelopes; three pencils; one bottle ink; one bottle mucilage; two hundred and fifty two-cent stamps; four hundred three-cent stamps; stationery, \$10.00; \$40.00.

James H. Vawter.—One ream legal cap paper; one ream note paper; five hundred buff envelopes; one bottle mucilage; one hundred and fifty two-cent stamps; one thousand one hundred and twenty-two three cent stamps; \$40.00.

Ethel Staggs.—One quire legal cap; one quire Congress letter; one pack buff envelopes; one pack white envelopes; three pencils; one sheet blotting pad; two hundred and fifty two-cent stamps; two hundred three-cent stamps; stationery, \$18.42; \$31.00.

Total accounts of Senators, \$1,837.99.

Stationery Account of O. M. Wilson, Secretary of Senate, 1867.

Fourteen inkstands.....	\$11 00
One ream foolscap paper.....	9 00
Three and one-half reams congress letter.....	28 00
Thirty-three rubber erasers.....	2 35
Twenty-six sheets blotting pad.....	2 60
Two bottles carmine ink.....	1 20
Eight rulers.....	7 00
Four dozen penholders.....	40
Six boxes pens.....	8 75
Four dozen pencils.....	3 25
Four gross paper fasteners.....	12 00
Two paper cutters.....	1 50
One hammer.....	
Three and one half gross gumbands.....	12 25
Three quarts French copying ink.....	3 75
One bottle pounce.....	
Three cups and sponges.....	
Three paper folders.....	1 80
One blank book.....	
One ruling pen.....	50
Two bottles mucilage.....	50
One whetstone (fine).....	
Twenty-four packages legal envelopes.....	7 20
One package white envelopes.....	18
Seven ink erasers.....	4 75
Two reams legal cap paper.....	20 00
Eighteen packages buff envelopes.....	2 70
One red pencil.....	20
Three boxes quill pens.....	3 60
One bottle black ink.....	75

Total.....\$145 20

Amount furnished to Secretary for use of Senate.....\$145 20

INDIVIDUAL ACCOUNT.

Five hundred and thirty-three three-cent stamps.....	\$16 00
Two hundred two-cent stamps.....	4 00
Total.....	\$20 00

Stationery Account of Thomas M. Brown, Assistant Secretary Senate.

Twenty reams congress letters.....	\$160 00
Two and one-half dozen pencils.....	1 90
Two boxes of pens.....	50
Four inkstands	4 00
Ten bunches buff envelopes.....	1 25
One-half ream legal cap.....	5 00
Two bolts ribbon.....	1 60
Three bunches rubber bands.....	75
Three-fourth inch chisel.....	
One-fourth ream note paper.....	1 00
Eight penholders.....	10
Three paper weights.....	3 00
Five sheets blotting pad.....	50
Six legal envelopes.....	1 80
Twelve packages buff envelopes.....	1 90
Four packages white envelopes..	70
Two boxes quill pens.....	2 60
Total.....	\$186 60

INDIVIDUAL ACCOUNT.

Stationery.....	\$9 00
Two hundred and sixty-six three cent stamps.....	8 00
One hundred and fifty two-cent stamps.....	3 00
Total.....	\$20 00

Account of Articles Furnished to S. G. Thompson, Doorkeeper of Senate, 1867.

Six quarts of ink.....	\$ 6 00
One and one-fourth reams Postoffice paper.....	
Thirty-four quires wrapping paper.....	
Four balls broom twine.....	60
Two towles.....	
Two pans (tin).....	
Four pounds gumarabic.....	
One-half pond alum.....	
One bottle mucilage.....	25

One mallet.....	
Two sponge cups and brushes.....	
Three balls wrapping twine.	
One dozen pencils.....	75
Two dusters.....	
One blue pencil.....	
Twenty two cakes soap.....	3 30
Stationery.....	20 00
One hundred and sixty-six three-cent stamps	5 00
Four hundred and fifty two-cent stamps.....	9 00

Stationery furnished to Committees of the Senate.

COMMITTEE ON ELECTIONS.

One-half ream legal cap paper ; one-half ream foolscap paper ; one-half ream Congress letter paper ; one-quarter ream note paper ; seven packages buff envelopes ; three packages legal envelopes ; seven packages white envelopes ; one dozen pen holders ; one dozen pencils ; two boxes pens ; one bottle ink—\$19.61.

COMMITTEE ON ORGANIZATION OF COURTS.

One and a half ream legal cap paper ; four quires foolscap paper ; three quires Congress letter paper ; five quires note paper ; three packages buff envelopes ; four packages white envelopes ; six pencils ; four pen holders ; two boxes pens—\$20.

JUDICIARY COMMITTEE.

Twelve quires legal cap paper ; two packages legal envelopes ; seven pencils ; seven pen holders ; one box pens—\$7.45.

COMMITTEE ON MILITARY AFFAIRS.

One ream legal cap paper ; one-half ream Congress letter paper ; six packages legal envelopes ; six packages white envelopes ; one dozen pen holders ; one bottle ink ; one bottle mucilage ; one ink-stand ; one eraser—\$18.60.

COMMITTEE ON RIGHTS AND PRIVILEGES.

One-half ream legal cap paper ; one-half ream Congress letter ; one package legal envelopes ; two hundred and fifty white envelopes seven pencils ; seven pen holders ; one box pens ; one pad blotting paper ; one bottle mucilage—\$12.15.

COMMITTEE ON ROADS.

Twenty-four quires foolscap paper ; five quires note paper ; two packages legal envelopes ; two packages white envelopes ; one dozen pencils ; one dozen pen holders ; one box pens ; one bottle red ink ; one inkstand—\$15.40.

COMMITTEE ON FINANCE.

One blank book ; one ream Congress letter ; one package legal envelopes ; two packages buff envelopes ; two packages white envelopes ; two punches and hammer ; one gross paper fastners, \$3.24 ; one-half gross small fastners, \$3—\$16.69.

COMMITTEE ON CONGRESSIONAL DISTRICTS.

Two and a half reams Congressional letter—\$20.

COMMITTEE ON COUNTY AND TOWNSHIP BUSINESS.

Six quires legal cap paper ; six quires Congress letter paper ; six quires note paper ; seven packages buff envelopes ; seven packages white envelopes ; seven pencils—\$9.96.

COMMITTEE ON BENEVOLENT INSTITUTIONS.

One-half ream legal cap paper—\$5.

COMMITTEE ON INTERNAL IMPROVEMENTS.

Four quires legal cap paper paper ; four quires Congress letter paper ; three quires note paper ; seven packages buff envelopes ; four packages white envelopes ; one-half dozen pencils—\$6.72.

COMMITTEE ON FEDERAL RELATIONS.

Nine-tenths of a ream of legal cap paper ; four-fifths of a ream of

Congress letter paper; one box white envelopes; one dozen pencils; two boxes pens; one quart ink; three packages legal envelopes; one package buff envelopes—\$20.

COMMITTEE ON TEMPERANCE.

Seven quires legal cap paper; seven quires Congress letter; seven packages white envelopes—\$7.56.

COMMITTEE ON SWAMP, LANDS.

Six quires legal cap paper; one half ream note paper; two packages legal envelopes; two packages buff envelopes; two packages white envelopes; one dozen pencils; one dozen pen holders; one-half gross pens—\$7.95.

COMMITTEE ON RAILROAD INVESTIGATION.

One-quarter ream legal cap paper; one-quarter ream Congress paper; one-quarter ream note paper; one-half dozen pencils; three pen holders; one box pens; one sheet blotting pad—\$6.10.

COMMITTEE ON ENROLLED BILLS.

One-half ream legal cap paper; one-half ream foolscap paper; one-fourth ream Congress letter paper; one-fourth ream note paper; one package legal envelopes; one box pens; one dozen pencils; one pint ink—\$14.55.

COMMITTEE ON STATE PRISONS.

Fourteen quires legal cap paper; one-half ream congress letter paper; one-half ream note paper; seven packages buff envelopes; seven packages white envelopes; seven packages legal envelopes; one dozen pencils; seven boxes pens—\$20.

COMMITTEE ON MANUFACTURES.

One ream foolscap paper—\$9.

COMMITTEE ON STATE LIBRARY.

Twelve quires legal cap paper; twelve reams Congress letter paper; eight reams note paper; four packages legal envelopes; eight

packages buff envelopes ; eight packages white envelopes ; four bottles mucilage—\$16. Total furnished to Committees, \$222.74.

RECAPITULATION.

Senator's accounts.....	\$1,837 99
Principal Secretary.....	145 20
By stamps furnished Principal Secretary.....	20 00
Assistant Secretary... ..	186 60
By stamps furnished Assistant Secretary.....	20 00
Stationery furnished Committees.....	222 74
Total	<u>\$2,432 53</u>

Supplement to Report of State Librarian to the Senate.

The following accounts of members and clerks have been taken out since my report rendered on Saturday.

B. F. FOSTER,
State Librarian.

Jno. A. Bowman—

March 11, stationery at Merrill's.....\$20 00

Wilson Smith—

March 11, one-half ream foolscap paper..... \$4 50

“ “ one half ream Congress paper..... 4 00

“ “ one-half ream note paper..... 2 00

“ “ three packages legal envelopes..... 90

“ “ one box buff envelopes..... 1 75

“ “ one dozen pencils..... 1 00

“ “ three hundred three-cent stamps..... 9 00

Total\$23 15

COMMITTEE ON PUBLIC WORKS.

One ream Congress letter paper..... 8 00

One-half box buff envelopes..... 87½

One half box white envelopes..... 87½

One-fourth dozen pencils..... 25

Total.....\$10 00

COMMITTEE ON LEGISLATIVE APPORTIONMENT.

One-half ream legal cap paper.....	\$5 00
One-half ream Congress letter paper.....	4 00
White envelopes... ..	1 00
Total.....	\$10 00

S. G. Thompson, Doorkeeper—

March 11—three quires wrapping paper ; one ball broom twine.

Mr. Cason, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred Senate bills Nos. 146 and 183, and Senate resolution in relation to the Township Library fund, together with certain memorials in relation to the Agricultural College, have had the same under consideration, and have directed me to return the same to the Senate, the term of the present General Assembly being about to expire.

Mr. Milligan, from a Select Committee, made the following report:

MR. PRESIDENT :

The Special Committee, to whom was referred the communication of Gov. Baker respecting the Lincoln Monument, have instructed me to report back said communication, and recommend it to lie on the table.

Which report was concurred in.

Mr. Stein, Chairman of a Special Committee, made the following report :

MR. PRESIDENT :

The Special Committee, to whom was referred the accompanying resolution, have considered the same, and have instructed me to report it to the Senate with a recommendation that it be adopted.

Which report was concurred in.

Mr. Church, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims respectfully report the claims of J. G. Houts, and recommend that they be returned to O. M. Wilson, late Secretary of Military Auditing Committee.

Which report was concurred in.

Mr. Oyler, Chairman of the Committee on the Organization of Courts, made the following report :

MR. PRESIDENT :

The Committee on the Organization of Courts, to whom was referred House bill No. 233, entitled " a bill to fix the time of holding the Court of Common Pleas in the county of Clinton, and repealing all laws in conflict therewith," have had the same under consideration, and have instructed me to report the same back without amendment, and recommend that it lie on the table, the time of the present term of the General Assembly being about to expire.

Which report was concurred in.

Mr. Wolcott, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee on Finance, to whom was referred Senate bill No. 145,—“ a bill to amend section first of an act entitled an act to provide a State Debt Sinking Fund for the payment of the principal and interest of the five and two and one-half per cent. stocks of the State therein named, and giving priority of payment to the holders of the two and one-half per cent. stocks of the State of Indiana, prescribing the duties of the Auditor, Treasurer and Agent of State thereto ; providing for a Clerk for the State Debt Sinking Fund, and fixing his salary ; and prescribing a penalty for a violation of its provisions ; abolishing the Board of Sinking Fund Commissioners and all officers connected therewith, and the office of Agent of State in the city of New York ; to invest the moneys of the State Debt Sinking Fund in the stocks of the State ; transferring the business of said

Board of Sinking Fund Commissioners to the Auditor and Treasurer of State ; providing that the tax therein levied shall be taken and therein considered as part of the tax levied under an act entitled an act to raise revenue for State purposes for the years one thousand eight hundred and sixty-five and one thousand eight hundred and sixty-six, approved March 2, 1865, and declaring an emergency for the immediate taking effect of this act, approved December 21st, 1865,"—respectfully beg leave to report, that they have considered the same, and they recommend that it do lie on the table.

Which was concurred in.

Mr. Church, from the Committee on Phraseology, Arrangement of Bills and Enrolled Bills, made the following reports :

MR. PRESIDENT :

The Committee to whom was referred Enrolled Senate Act No. 102, have examined, and find the same carefully and correctly enrolled.

MR. PRESIDENT :

Your Committee on Enrolled Bills have examined Enrolled Senate Acts Nos. 41, 213, 152, 223, 215, 195, 242, 140, 246, and 237, and find the same carefully and correctly enrolled.

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills, have examined Enrolled Senate Acts, Nos. 29 and 79, and find the same carefully and correctly enrolled.

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills, having carefully compared Senate Enrolled Act No. 2, find the same to be correctly and neatly done.

MR. PRESIDENT :

The Committee on Phrrseology and Enrolled Bills, have examined Enrolled Senate Act No. 89, and find the same carefully and correctly enrolled.

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills, have carefully compared Enrolled Senate Act No. 54, and find it carefully and correctly enrolled.

Mr. Bellamy, from the Committee on Phraseology, Arrangements of Bills, and Enrolled Bills, made the following reports :

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills, have carefully examined Enrolled Senate Act No. 4, an act to establish a home for the maintenance of sick and disabled Indiana soldiers and seamen, and their orphans and widows.

Also, Enrolled Act of Senate, No. 103, an act to prevent persons from injuring or destroying insured property, and from making false proofs thereof, prescribing penalties for the same.

Likewise, Enrolled Act No. 203, an act extending the time of holding the Common Pleas Court in the county of Fulton, and repealing all laws inconsistent therewith.

Said committee have also examined the following Enrolled Senate Acts, to-wit :

No. 164. An act to provide for the removal from office, death, resignation or inability of both Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith.

No. 75. An act for the incorporation of Slackwater Navigation Companies, and defining their powers and duties.

No. 236. An act fixing the time of holding the courts in the Tenth Judicial Circuit, changing the length of the terms in some of the counties thereof, and prescribing that in other respects existing regulations shall apply thereto.

No. 40. An act defining what counties shall constitute the Thirteenth Judicial Circuit, and fixing the time of holding the courts therein, and they find all of said acts carefully and correctly enrolled.

MR. PRESIDENT :

The Committee on Phraseology and Enrolled Bills, have carefully examined the following Enrolled Senate Acts, to-wit :

No. 175. An act for the incorporation of companies for the purpose of building, and maintaining buildings to be used or occupied, in whole or in part, for Masonic meeting purposes, or in any way for the accommodation or convenience of Masonic bodies or lodges.

No. 95. An act to amend an act entitled an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto, approved March 5, 1859; approved December 20, 1865.

No. 154. An act to revise and amend the sixth section of an act entitled an act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter, approved January 27, 1847.

No. 214. An act to authorize cities and towns, to execute, negotiate and sell bonds to procure means with which to erect and complete unfinished school buildings, and pay debts contracted for erection of such buildings, and authorizing the levy and collection of an additional special school tax for the payment of principal and interest of such bonds.

No. 206. An act creating the Twenty-third Common Pleas District, and making provisions therefor, and repealing all conflicting laws.

No. 244. An act creating the Twenty-fourth Common Pleas District, and making provisions therefor, and repealing all conflicting laws.

No. 125. An act to declare abandoned certain unfinished railroads, and to provide for their completion; to declare forfeited the franchises of certain railroad companies, and for the assessment of the value thereof; for the organization of new companies, and for making annual statements.

No. 37. An act to repeal all general laws, now in force, for the incorporation of cities, and to provide for the incorporation of cities,

prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.

Also, Joint Resolution of Senate No. 10, and they find all of said acts and said joint resolution carefully and correctly enrolled.

Message from the House by Mr. Nixon, clerk thereof.

MR. PRESIDENT :

I am authorized by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled acts of the House of Representatives, to-wit :

No. 18. A bill to amend section No. 15, and to repeal sections Nos. 29 and 30 of an act regulating general elections, and prescribing the duties of the officers in relation thereto, approved June 7th, 1852, and prescribing further duties of the officers.

No. 63. A bill to amend section 11 of an act entitled "an act defining misdemeanors and prescribing the punishment therefor," approved June 14, 1852.

No. 72. An act to amend an act entitled "an act to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each of said prisons, directing what counties shall send their convicts to the Northern State Prison, and providing for carrying on the work in building said Northern State Prison, and making appropriation for the support of said Prison.

No. 81. A bill regulating the employment of persons under sixteen years of age in the cotton and woollen factories of this State.

No. 93. A bill forbidding the locking of railroad cars in certain cases, and providing punishment therefor.

No. 101. A bill to amend the act entitled an act to amend the act entitled "an act authorizing the construction of plank, macadamized and gravel roads, and to empower the same to make sale of a portion of their roads," approved February 28, 1855.

No. 130. A bill to amend section 28 of an act entitled "an act defining felonies and prescribing punishment therefor," approved June 10, 1852.

No. 343. An act to amend sections 109, 110, 111 and 119 of an act entitled "an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed," approved March 6, 1865.

I am also directed to inform the Senate that the Speaker has signed the following enrolled acts of the House, to-wit: Nos. 48, 334, 159, 207, 179, 225, 83, 350, and joint resolution No. 2.

And that he has signed enrolled acts of the Senate, to-wit: Nos. 40, 175, 75, 154, 95, 164, 203, 103, 214, 140, 29, 79, 4, 236, 213, 223, 246, 215, 41, 125, 244, 152, 206, 237, 242, and 195.

I am also directed to inform the Senate that the Speaker has signed the following enrolled acts of the House, to-wit: Nos. 39, 189, 300, 223, 158, 145, 89, and 348.

I am also directed to inform the Senate that the Speaker has signed the following enrolled act of the Senate, No. 89.

I am also directed by the House of Representatives to inform the Senate that the House of Representatives has passed the Senate joint resolution in reference to the imprisonment in Canada of Rev. John McMahan.

I am also authorized by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled House bill, to-wit, No. 19.

I am also directed by the Speaker of the House to inform the Senate that he has signed the following enrolled Senate bills, to-wit: Nos. 2, 102, 37, and joint resolution No. 10.

On motion by Mr. Oyler, the Senate adjourned.

HALF-PAST TWO O'CLOCK P. M.

The Senate met.

Messages from the House by Mr. Nixon, the Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the concurrent resolution of the Senate authorizing the Governor to appoint a Commission to take testimony in the case of the Morgan and other raids made upon the citizens of the State of Indiana.

I am also authorize to inform the Senate that the House has passed the concurrent resolution of the Senate, to-wit :

“ Resolved by the Senate, the House concurring, That the Judges of the Supreme Court are hereby authorized to remove the law library, for the State House, to any building that they may rent for the use of said Court, and they shall have exclusive control of said library.”

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives to inform the Senate, that he has signed the following enrolled act of the Senate, to-wit :

Enrolled Act No. 54, and herewith returns the same to the Senate.

Mr. English, from the Committee, appointed by the Senate to wait upon the Governor, made the following report :

MR. PRESIDENT :

The Committee who was appointed to wait on the Governor, have performed that duty, and report that the Governor has no more communications to make to the General Assembly.

A message from His Excellency, the Governor, by Captain John Commons, his private Secretary :

MR. PRESIDENT :

I am directed by the Governor to inform your honorable body, that he has approved and signed Enrolled Act No. 22, "an act regulating the fees of Clerks of Courts, Justices of the Peace and Notaries Public, in certain cases."

Also, Enrolled Act No. 63, "an act for the repeal of statutes not in conformity with the ruling of the Supreme Court in the case of Langdon against Applegate and others, and limiting actions arising out of the same, or for a violation thereof."

Also, Enrolled Act No. 151, "an act to amend the eleventh section of an act entitled, an act touching the relation of guardian and ward," approved June 9, 1852, and regulating suits on bonds of guardians removing from the State."

Also, Enrolled Act No. 212, "an act to regulate the arrest and surrender of fugitives from justice, from other States and Territories.

Also, Joint Resolution No. 5, "a Joint Resolution directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of free banks, broken and closed, and of such banks as have given notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks."

Also, enrolled act No. 102. An act to provide for the custody and management of the notes, bonds, and mortgages arising directly out of loans heretofore made by the Board of Sinking Fund Commissioners ; to continue in force all laws or parts of laws in force on the 20th day of January, 1867, which are applicable to said loans, and the securities therefor ; to clothe the Auditor of State with the powers, and subject him to the duties in relation to said loans and securities therefor, which, by said laws, are vested in or imposed upon said Board of Sinking Fund Commissioners ; to provide for the incidental

expenses of the management of said loans and securities, including clerk hire, and for the mode and periods of payment of such allowance for expenses, substituting the seal of the Auditor of State for that of the Board of Sinking Fund Commissioners, and declaring an emergency for the immediate taking effect of this act, and providing for the Auditor of State to execute bond, and payment of all moneys into the State Treasury.

Also, Enrolled Act No. 2. An act to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and the form of the ballots, and providing compensation for the services of such officers.

Also, Enrolled Act No. 40. An act defining what counties shall constitute the Thirteenth Judicial Circuit, and fixing the times of holding courts therein.

Also, Enrolled Act No. 175. An act for the incorporation of companies for the purpose of building and maintaining buildings to be used or occupied, in whole or in part, for Masonic meeting purposes, or in any way for the accommodation or convenience of Masonic bodies or lodges.

Also, Enrolled Act No. 75. An act for the incorporation of slack-water navigation companies, and defining their powers and duties.

Also, Enrolled Act No. 89. An act providing for the incorporation of steam packet companies.

Also, Enrolled Act No. 154. An act to revive and amend the sixth section of an act entitled an act granting to the citizens of the town Evansville, in the county of Vanderburg, a city charter, approved January 27, 1847.

Also, Enrolled Act No. 95. An act to amend an act entitled an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto, approved March 5, 1859, approved December 20, 1865.

Also, Enrolled Act No. 164, "an act to provide for the removal from office, death, resignation or inability of both Governor and Lieutenant-Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith."

Also, Enrolled Act No. 203, "an act extending the time for holding the Common Pleas Court in the county of Fulton, and repealing all laws inconsistent therewith."

Also, Enrolled Act No. 103, "an act to prevent persons from injuring or destroying insured property, and from making false proofs thereof, prescribing penalties for the same."

Also, Enrolled Act No. 214, "an act to authorize cities and towns to execute, negotiate and sell bonds, to procure means with which to erect and to complete unfinished school buildings, and pay debts contracted for erection of such buildings, and authorizing the levy and collection of an additional special school tax for the payment of principal and interest of such bonds."

Also, Enrolled Act No. 29, "an act defining who shall be competent witnesses in any Court or judicial proceeding in this State, and to repeal all laws and parts of laws in conflict with the provisions of this act."

Also, Enrolled Act No. 140, "an act authorizing insurance companies to reinsure their risks, and close up their business."

Also, Enrolled Act No. 195, "an act to cure defective or illegal bonds of executors and administrators and their sureties."

Also, Enrolled Act No. 242, "an act to amend section five of an act to amend an act entitled act for incorporating the Wabash Manual Labor College and Teacher's Seminary," approved February 8, 1851.

Also, Enrolled Act No. 237, "an act creating the Nineteenth, Twentieth and Twenty-first Judicial Circuits, providing for the election of Judges and Prosecuting Attorneys thereof, and providing compensation therefor, declaring the jurisdiction of said Courts, and providing for the transfer of actions thereto."

Also, Enrolled Act No. 152, "an act to legalize and make valid certain county bonds, and to provide for the payment of the same."

Also, Enrolled Act No. 244, "an act creating the Twenty-fourth Common Pleas District, and making provision therefor, and repealing all conflicting laws."

Also, Enrolled Act No. 125, "an act to declare abandoned certain unfinished railroads, and to provide for their completion; to declare forfeited the franchises of certain railroad companies, and for the assessment of the value thereof; for the organization of new companies, and for making annual statements."

Enrolled Act No. 215, an act to prevent the spread of the diseases commonly called "hog cholera" and "spanish fever," and other diseases among domestic animals, and to prevent the importation of animals affected with any contagious or infectious diseases."

Also, Enrolled Act No. 246, an act to fix the time of holding terms of the Circuit Courts in the Eleventh Judicial Circuit, and also in Huntington county.

Also, Enrolled Act No. 223, an act to amend the first section of an act entitled "An act to amend the fortieth clause of section thirty of an act entitled an act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter," approved January 27, 1847, and declaratory of the meaning of the second section of the same act, approved December 21, 1865, so as to authorize the Common Council of said city of Evansville to subscribe for and take stock in the Evansville, Henderson & Nashville Railroad Company, or any other company or corporation organized under and by virtue of the laws of the Commonwealth of Kentucky, for the purpose of constructing a railroad leading from Nashville, in the State of Tennessee, to a point on the Ohio river, at or near Evansville, Indiana.

Also, Enrolled Act No. 213, an act concerning the punishment of women and girls convicted of crime, misdemeanors, or violation of any city ordinances.

Also, Enrolled Act No. 236, an act fixing the time of holding the Courts in the Tenth Judicial Circuit, changing the length of the terms in some of the counties thereof, and prescribing that in other respects existing regulations shall apply thereto.

Also Enrolled Act No. 4, an act to establish a Home for the maintenance of sick and disabled Indiana soldiers and seamen, and their orphans and widows.

Also, Enrolled Act No. 79, an act providing for the incorporation of electric telegraph companies.

Also, Enrolled Act No. 206, an act creating the Twenty-Third Common Pleas District, and making provisions therefor, and repealing conflicting laws.

Mr. Hanna offered the following resolution :

Resolved, That the most cordial thanks of the Senate are hereby tendered to Hon. Will Cumbach for the ability, integrity, and impartiality with which he has uniformly discharged his arduous labors as President of this body ; that for the urbanity, harmony and prosperity of our deliberations, we are greatly indebted to his deep sense of justice and his elevating reverence for principle.

Which was unanimously adopted.

The President, resuming the chair, then spoke as follows :

Senators, Officers and Employees of the Senate :

The experience and observation of our lives have taught us all the sad truth that there can be no ties, however tender, or associations, however pleasant in this world, but that time will dissolve them.

Our time for separation has come, and I but do justice to my own feelings when I say that I will ever revert to this session of the Senate as one of the most delightful periods of my life. I beg to thank you all with an earnest and sincere heart for your cheerful obedience to the rulings of the Chair, and for the general disposition to make my position, always one of great difficulty in the discharge of its delicate duties, as pleasant and comfortable as possible. Your uniform

kindness and courtesy to me, as your presiding officer, has given you all such a warm place in my heart that the surging waves of care and toil in after life will never cause me to forget you, and in all your conflicts in life's great struggle, you will have my sympathies and my sincere wishes for your success.

The Senate did a just and honorable act this morning in rendering its unanimous thanks to our highly efficient officers and their employees. I have found them all to be faithful and prompt in the discharge of their duties, and to each of them I beg to add my personal thanks for their kindness to me, and to say to them as they go hence, my regards will follow them for their happiness and success.

I have no time, nor is this the proper occasion, to speak of the acts of this Legislature. It has been emphatically a working body, and since we have been a State there has never been so much accomplished in any similar body in the same time. I hope what we have done may promote in a high degree the happiness and prosperity of the people, and they will do us the honor to approve our work, and give us a hearty welcome when we return to them.

I congratulate you, Senators, that you have, by your uniform courtesy to each other, kept discord and ill feeling out of this chamber; and now that we are about to part, it is a most gratifying reflection that we all go hence friends and not enemies.

To those of you who have a loving wife and affectionate children, who have been looking forward to this day with such bright anticipations of happiness in meeting you, I tender my congratulations that you are so near the realization of a happiness than which there is none sweeter on earth.

To those of you who are not thus fortunate, may I in this my parting word, recommend that you at once make the needful arrangement for a similar reception when you return home hereafter.

I beg to say that the complimentary resolution just adopted unanimously by a rising vote of the Senate, fills my heart with gratitude and pride, and in return for this and the many other acts of kindness I have received from you, my heart thanks you with far more earnestness than my tongue can tell. May heaven's best gifts be yours in rich abundance, and may you ever receive from your fellow men the same kindness and courtesy that you have so manfully extended to each other and to myself.

Mr. Bennett offered the following resolution :

Resolved, That the House of Representatives be informed that the Senate has completed the business before it, and it is now ready to adjourn *sine die*.

Which was adopted.

On motion by Mr. Hanna, the Senate adjourned *sine die*.

O. M. WILSON,
Secretary.

THOS. M. BROWNE,
Assistant Secretary.

CALENDAR

OF THE

BILLS AND JOINT RESOLUTIONS OF THE SENATE.

INDIANAPOLIS, IND., April, 1867.

In obedience to a resolution of the Senate of Indiana, adopted March 11, 1867, at the last General Assembly, requiring the Secretary of the Senate to "publish in the Journal a complete calendar of all the Bills and Joint Resolutions of the Senate, for the convenient use of the members, in case of an extra session," the following calendar is prepared from the Senate Register of Bills and Joint Resolutions originating therein.

O. M. WILSON, *Secretary of Senate.*

BILLS PASSED.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
1	An Act to divide the State into Congressional Districts. Passed February 13.....	January 10.....	Bennett.
2	An Act to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and providing compensation for the services of such officers. Passed February 15	January 10.....	Thompson.
4	An Act to establish a home for the maintenance of sick and disabled Indiana soldiers. Passed February 12....	January 11.....	Cullen.
5	An Act to amend an act entitled "An act to amend an act entitled an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian and Clerk," approved March 4, 1859, and also increasing the powers and duties of the State Librarian, approved December 5, 1865. Passed January 23.	January 11.....	Oyler.
7	A Bill to repeal an act entitled "An act to enforce the 13th Article of the Constitution." Passed January 29.	January 11.....	Bennett.
8	An Act to provide for the care and custody of the person and estate of habitual drunkards. Passed February 7.	January 11.....	Cullen.
11	An act to amend sections three and fourteen of an act entitled "An act to allow County Commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction, and to provide for the same to be free," approved March 6, 1865. Passed January 29.....	January 11.....	Cullen.
12	An Act for the correction of mistakes in conveyances where a married woman is a party. Passed January 29	January 14.....	Bellamy.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
13	An Act to authorize and provide for changes of venue in civil actions in certain cases. Passed February 7.	January 14.....	Oyler.
14	A Bill to establish a Board of Immigration for the purpose of encouraging emigration to the State of Indiana from the Eastern States of the United States, and from the countries of Europe. Passed February 28.	January 14.....	Thompson.
17	An Act to amend the title of an act entitled "An act concerning licenses to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet shows and legerdemain. Passed January 21.	January 14.....	Parrish.
20	An Act to amend an act entitled "An act prohibiting Supreme, Circuit or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs, and their deputies, from practicing law in any of the courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof. Passed February 28.	January 14.....	Oyler.
21	An Act supplemental to an act, approved March 5, 1859, entitled "An act authorizing the purchase of railroads, plank roads, turnpike roads and macadamized roads, or parts thereof, under mortgaged sale, or sales, made according to the terms of deeds of trust; to organize as incorporated companies, and prescribing their powers and duties," extending the time provided in said acts for the organization of such district corporations by such purchase. Passed January 15.	January 14.....	Cravens.
22	An Act regulating the fees of Clerks, Justices of the Peace and Notaries, in certain cases. Passed January 23.	January 14.....	Jaquess.
24	A Bill to legalize acknowledgments of all deeds, mortgages, and other instruments, required to be recorded, taken and certified by Notaries Public, who took and certified such acknowledgments after the expiration of their commissions, or vacation of their appointments. Passed January 23.	January 14.....	Church.
26	An Act appropriating seventy-five thousand dollars to defray the expenses of the forty-fifth session of the General Assembly. Passed January 17.	January 15.....	Cullen.
28	A Bill to amend section eighteen of an act entitled "An act prescribing the powers and duties of Justices of the Peace in State prosecutions. Passed January 29.	January 15.....	Bonham.
29	A Bill defining who shall be competent witnesses in any court or judicial proceeding in this State, and to repeal all laws and parts of laws in conflict with the provisions of this bill: Passed February 1.	January 15.....	Bennett.
30	A Bill to provide for the protection of fish, defining the time in which they may be trapped, or netted, affixing the penalty for the violation of the act, and declaring an emergency. Passed February 7.	January 15.....	Reagan.
32	A Bill to provide for issuing <i>copias ad satisfaciendum</i> when in action for replevin of personal property, defendant shall fraudulently conceal, remove, transfer, withhold, or refuse to deliver said property, and providing the manner of proceedings to obtain said writ in certain cases therein specified. Passed February 1.	January 15.....	Rice.
33	A Bill to amend sections 10, 13, 14, 15, 16, 17 and 18 of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855. Passed February 1.	January 15.....	Bennett.
34	A Bill to amend section three of an act entitled "An act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the Judges thereof," approved May 14, 1852, and creating a new district, and providing for the appointment of a Judge therein. Passed January 29.	January 15.....	Cullen.
35	A Bill to amend sections 19 and 20 of an act entitled "An act defining felonies, and prescribing punishment therefor," approved June 10, 1852, defining the offences of grand and petit larceny, and prescribing punishment therefor. Passed February 20.	January 15.....	Stein.
36	A Bill to amend "An act to provide for the appointment of a Sheriff of the Supreme Court, and prescribing certain of his duties and fees," approved May 13, 1852. Passed February 7.	January 15.....	Richmond.
37	An Act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise		

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
38	the same, and to regulate such other matters as properly pertain thereto. Passed February 14.....	January 17.....	Carson.
40	An Act to amend section 20 of an act entitled "An act to amend an act entitled an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties and those of county and township officers in relation thereto," approved January 20, 1865. Passed February 22.....	January 17.....	Hyatt.
41	A Bill defining what counties shall constitute the 13th Judicial Circuit. Passed February 14.....	January 17.....	Richmond.
42	A Bill to authorize cities, towns and townships to subscribe for, purchase and hold stock of turnpike, plank road and railroad companies; to issue and negotiate bonds and provide a sinking fund, and to levy a tax to pay interest, and to create a sinking fund, and providing when the act shall take effect and be in force. Passed February 20.....	January 17.....	Church.
43	A Bill defining what counties shall constitute the 7th Judicial Circuit, and fixing the time of holding the Courts therein. Passed February 14.....	January 17.....	Bonham.
46	An Act to amend section fifteen of an act entitled "An act to provide for the opening, vacating and change of highways." Passed February 1.....	January 17.....	Parrish.
47	An Act to regulate the sale of spirituous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof. Passed February 20.....	January 17.....	Wolcott.
50	A Bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments, or machine shops. Passed February 27.....	January 17.....	Richmond.
53	An Act to amend section twelve of "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith; providing penalties therein prescribed. Passed January 23.....	January 18.....	Cumback.
54	An Act to amend the first section of an act entitled "An act to amend the first section of an act to amend an act entitled an act to amend the sixth section of an act providing for the organization of County Boards, and prescribing some of their powers and duties;" which first above mentioned act was approved June 17, 1852; the said second mentioned act was approved February 16, 1859; which latter act last above mentioned was approved March 9, 1861, and which act hereby amended was approved March 7, 1863. Passed February 7.....	January 21.....	Carson.
58	An Act authorizing the assessment of all the lands within one and one-half miles of the terminus of any plank, macadamized, or gravel road, organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled "An act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852, when the subscription to such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same, and the collection of such assessments; provided the lands are situated within the county in which such road is located. Passed February 19.....	January 21.....	Richmond.
61	An Act to amend an act entitled "An act to provide for the valuation and appraisement of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State. Passed February 1.....	January 21.....	Parrish.
	An Act to amend section thirty of an act entitled "An act to amend an act entitled an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859, which last mentioned act was approved December 20, 1866. Passed February 7.....	January 21.....	Carson.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
63	An Act for the repeal of statutes not in conformity with the ruling of the Supreme Courts, in the case of Langdon against Applegate and others, and limiting actions arising out of the same, or for a violation thereof. Passed February 7.....	January 21.....	Stein.
69	An Act to make an appropriation for Sheriffs' mileage. Passed January 23.....	January 22.....	Wolcott.
70	A Bill to amend section 57 of "An act for the incorporation of cities," approved December 20, 1865, authorizing subscriptions and donations to aid in the construction of plank, macadamized, and railroads running into or through such cities, prescribing the manner in which such subscription or donation may be made, and for the enforcement thereof. Passed February 5.....	January 22.....	Milligan.
74	An Act amendatory of an act entitled "An act to provide for the more uniform method of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act," approved February 18, 1859. Passed February 7.....	January 22.....	Cumback.
75	A Bill for the incorporation of slack-water navigation companies, and defining their powers and duties. Passed February 20.....	January 22.....	Reynolds.
76	A Bill to increase the salary of Prosecuting Attorneys of the Criminal Courts, and providing the manner of paying the same. Passed February 20.....	January 22.....	Thompson.
79	An Act providing for the incorporation of electric telegraph companies. Passed February 20.....	January 22.....	Jaquess.
86	A Bill for an act supplemental to an act entitled "An act for the incorporation of high schools, academies, colleges, universities, theological institutions, and missionary boards," approved February 23, 1865. Passed February 20.....	January 23.....	Howk.
89	A Bill providing for the incorporation of steam packet companies. Passed February 20.....	January 23.....	Howk.
91	An Act to assert the control of the State over railroad corporations; to fix the rates of freight, and to prevent extortions, and to provide rules and by-laws for such roads, and the punishment for the violation thereof, and to provide for the licensing of locomotive engineers. Passed March 4.....	January 25.....	Cason.
93	An Act to amend section first of "An act concerning interest on money," approved March 27, 1852. Passed February 27.....	January 25.....	Brown.
94	A Bill to provide for the protection of fur-bearing animals. Passed February 28.....	January 25.....	Church.
95	An Act to amend an act entitled "An act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859; approved Dehember 20, 1865. Passed February 7.....	January 25.....	Reynolds.
96	A Bill to amend the seven hundred and sixteenth section of an act entitled "An act concerning the writ of habeas corpus." Passed February 22.....	January 25.....	Mason.
97	An Act designating certain holidays, and relative to negotiable paper falling due thereon. Passed February 26.....	January 25.....	Niles.
98	An Act making specific appropriations for the support of the benevolent institutions. Passed January 28.....	January 25.....	Kinley.
102	An Act to provide for the custody and management of the notes, bonds and mortgages arising directly out of loans heretofore made by the Board of Sinking Fund Commissioners; to continue in force all laws or parts of laws in force on the 20th day of January, 1867, which are applicable to said loans and the securities therefor; to clothe the Auditor of State with the power, and subject him to the duties in relation to said loans and securities therefor, which by said loans are vested in or imposed upon said Board of Sinking Fund Commissioners; to provide for the incidental expenses of the management of said loans and securities, including clerk hire, and for the mode and periods of the payment of such allowance for expenses; substituting the seal of the Auditor of State for that of the Board of Sinking Fund Commissioners, and declaring an emergency for the immediate taking effect of this act. Passed February 6.....	January 25.....	Bennott.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
103	A Bill to prevent from injuring or destroying insured property, and from making false proofs thereof, prescribing penalties for the same. Passed February 22.	January 25.....	Thompson.
165	An Act to amend section five of an act entitled "An act providing for the organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties," approved June 1, 1852, and providing for Criminal and Civil Courts, approved December 20, 1865. Passed February 28.....	January 28.....	Carson.
108	An Act to amend an act entitled "An act for the incorporation of insurance companies, defining their powers, and prescribing their duties," approved January 17, 1852. Passed March 1.....	January 28.....	Bellamy.
111	An Act authorizing Township Trustees of incorporated towns, and the Common Council of cities, to levy a tax for school purposes. Passed February 20.....	January 28.....	Kinley.
114	An Act to amend an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and prescribing the fees of certain officers therein named, and for the establishment of township libraries, and to repeal all laws inconsistent therewith; providing penalties therein prescribed," approved March 6, 1865, adding supplemental sections thereto. Passed March 1.....	January 28.....	Kinley
116	An Act to amend sections eighteen and twenty-five of an act entitled "An act for the government of the Indiana Hospital for the Insane, and the care of the insane of Indiana," approved January 15, 1852. Passed March 1.....	January 28.....	Perry.
117	An Act to amend sections first and tenth of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith; providing penalties therein prescribed." Passed March 1.....	January 28.....	Kinley.
118	A Bill to require the Clerks of the Courts of Common Pleas to specify by separate items the fees and services for which they may demand payment of executors, administrators and guardians. Passed February 22.....	January 28.....	Niles.
119	An Act amending the thirteenth section of the act, approved June 4, 1861, entitled "An act to provide for the incorporation of street railroad companies." Passed February 22.....	January 28.....	Thompson.
120	A Bill to amend section 63 of "An act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852. Passed March 1.....	January 28.....	Niles.
125	An Act to declare abandoned certain unfinished railroads, and to provide for their completion; to declare forfeited the franchises of certain railroad companies, and for the assessment of the value thereof; for the organization of new companies, and for making annual statements. Passed February 20.....	January 29.....	Barker.
129	An Act to amend an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms, in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852. Passed March 2.....	January 29.....	Oyler.
131	An Act to amend section 784 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms, in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity." Passed March 2.....	January 29.....	Stein.
140	An Act authorizing insurance companies to re-insure their risks, and close up their business. Passed March 2.....	January 31.....	Kinley.
143	An Act to amend an act entitled "An act for the incorporation of high schools, academies, colleges, universities, theological and missionary boards," approved February 28, 1855. Passed February 20.....	February 4.....	Thompson.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
148	An act to amend an act entitled "An act to incorporate the Grape Vine Marsh Plank Road Company," approved February 12, 1851. Passed March 4.....	February 4.....	Reynolds.
149	An Act to amend the second section of "An act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any companies which may have been, or shall be, incorporated in this State, for any of the purposes contemplated in said act, with a limitation of the amount or location of its real estate; may take, hold and convey any amount of real estate which may be necessary to carry on the operations of such company, whether such real estate be situate in this State or elsewhere. Passed March 5.....	February 4.....	Cason.
161	An Act amending "An act touching guardian and ward, and regulating suits on bonds of guardians removing from the State. Passed February 20.....	February 4.....	
152	An Act to legalize and make valid certain county bonds, and to provide for the payment of the same. Passed February 20.....	February 4.....	Robinson.
154	An Act to revive and amend the sixth section of an act entitled "An act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter," approved January 27, 1847. Passed March 5.....	February 5.	Jaquess.
158	An Act concerning the Supreme Court. Passed February 7.....	February 5.....	Niles.
159	An Act providing for the appointment of a night watchman for the State House, to fix the salary of the same, and declaring an emergency. Passed March 5.....	February 8.....	Houghton.
161	An Act to establish a House of Refuge for the correction and reformation of juvenile offenders. Passed February 20.....	February 9.....	Niles.
164	A Bill to provide for the removal from office, death, resignation or inability of both Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith. Passed February 20.....	February 9.....	Cravens.
165	An Act to amend "An act to provide for the appraisal of real estate, and prescribing the duties of officers in relation thereto," approved December 21, 1852. Passed February 28.....	February 9.....	Reagan.
166	A Bill to fix the number of Senators and Representatives of the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State. Passed February 13.....	February 9.....	Stein.
169	An Act to provide for official visitations and inspections of the Prisons and Benevolent Institutions of the State. Passed March 5.....	February 9.....	Reagan.
171	A Bill fixing the duration of the terms of the Circuit Court in the county of Warren, and repealing all laws in conflict with its provisions. Passed March 5.....	February 9.....	Walcott.
174	An Act for the relief of Peter Wells and Benoni Wells. Passed February 28.....	February 9.....	Huey.
175	An Act for the incorporation of companies for the purpose of erecting and maintaining buildings to be used and occupied, in whole or in part, for Masonic meetings, purposes, or in any way for the accommodation or convenience of Masonic bodies or Lodges. Passed February 20.....	February 9.....	Richmond.
176	A Bill requiring railroad companies to erect signs or public notices at all highway crossings, and providing penalties for the neglect thereof. Passed March 5.....	February 9.....	Stein.
178	An Act to regulate the assessment and collection of taxes on the capital stock owned in banks, and banking associations doing business in the State of Indiana. Passed March 5.....	February 9.....	Hanna.
180	An Act amending section twenty-third of "An act for the government of the Insane Hospital, relating to the duties of County Clerks. Passed March 5.....	February 11.....	Hanna.
181	An Act to amend section twenty-seven of "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein provided," approved		

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
185	March 6, 1865. Passed February 26..... An Act authorizing Judges of Circuit Courts and County Common Pleas to appoint receivers in vacation, and to make all orders in relation thereto, to authorize such Judges to modify and dissolve injunction, the same as is made by the court in session, and to provide that an appeal from an injunction order shall not operate as a supersedeas. Passed March 5.....	February 11..... February 13.....	Huffman. Niles.
186	An Act supplemental to "An act providing for the settlement of decedent's estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement. Passed March 5.....	February 13.....	Casen.
187	An Act to provide for the keeping of a county "pauper record," and defining the duties of certain officers in relation thereto. Passed March 5.....	February 13.....	Bellamy.
190	An Act providing the amount of fees to be allowed County Treasurers for the collection of delinquent taxes, and declaring an emergency. Passed March 5.....	February 14.....	Noyes.
191	An Act supplemental to "An act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852. Passed February 22.....	February 14.....	Thompson.
195	An Act to cure defective or illegal bonds of executors and administrators, and their sureties. Passed March 5.....	February 15.....	
198	An Act to amend sections twenty-five and eighty-eight of "An act entitled an act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852, and to provide jurisdiction, and for the collection of certain taxes in the territory aforesaid. Passed March 5.....	February 15.....	Robinson.
200	A Bill to legalize the action of Thomas B. McCarty, Auditor of State, and securing to the State of Indiana \$2,062.08, occasioned by the defalcation of the Treasurer of Pulaski county, on account of the Swamp Land Fund, and authorizing him to dispose of certain lands acquired thereby for the benefit of the State. Passed March 6.....	February 18.....	Bonham.
201	An Act authorizing the sale of a tract of land in the city of Evansville, the title whereof is vested in the State of Indiana, and providing for a conveyance from the State to the purchaser thereof. Passed February 29.....	February 18.....	Jaquess.
203	An Act extending the time for holding the Common Pleas Court in the county of Fulton, and repealing all laws inconsistent herewith. Passed February 26.....	February 18.....	Terry.
206	A Bill creating the Twenty-Second Common Pleas District, and making provision therefor, and repealing all conflicting laws. Passed February 20.....	February 18.....	Stein.
207	An Act requiring certain officers of this State to make reports, and providing for the publication thereof. Passed March 5.....	February 18.....	Walcott.
211	A Bill to amend an act entitled "An act to amend section three hundred and fifty-two of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, approved March 9, 1861. Passed March 5.....	February 19.....	Stein.
212	An Act to regulate the arrest and surrender of fugitives of justice from other States and Territories. Passed February 19.....	February 19.....	
213	A Bill concerning the punishment of women and girls convicted of crime and misdemeanors. Passed February 20.....	February 20.....	Niles.
214	An Act to authorize cities to prepare, execute, negotiate and sell bonds to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax to provide means for the payment of the interest and principal of such bonds, and declaring an emergency. Passed		

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
215	February 21..... A Bill for an act to prevent the spread of the disease commonly called "hog cholera," and other diseases among domestic animals. Passed March 15.....	February 20.....	
218	An Act directing the State and county officers to receive certain certificates in payment as money. Passed March 1.....	February 20.....	
220	An Act to amend an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors, appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State. Passed March 5.....	February 22.....	
223	An Act to amend the first section of an act entitled "An act to amend the fortieth clause of section thirty of an act entitled an act granting to the citizens of Evansville, in the county of Vanderburg, a city charter," approved January 27, A. D., 1847, and declaratory of the meaning of the second section of the same act, approved December 21, 1865, so as to authorize the common council of the said city of Evansville, to subscribe for and take stock in the Evansville, Henderson & Nashville Railroad Company, or any other company or corporation, organized under and by virtue of the laws of the Commonwealth of Kentucky, for the purposes of constructing a railroad leading from Nashville, in the State of Tennessee, to a point on the Ohio river at or near Evansville, Indiana. Passed February 26.....	February 22.....	
226	An Act to amend the twenty-eighth section of an act entitled "An act to incorporate the Vevay, Mt Sterling & Versailles Turnpike Road Company," approved January 4, 1856. Passed March 7.....	February 26.....	Jaquess.
227	An Act to consolidate certain bonds, stocks and accounts of the school fund, into one non-negotiable bond, and making other provisions in relation thereto. Passed March 1.....	February 26.....	Bellamy.
231	An Act to save pending suits affected by the passage of an act entitled "An act to repeal sections forty-three and forty-four of an act entitled an act prescribing who may make a will, the effect thereof, what may be desired regulating the revocation, admission to probate, and contest thereof," approved May 31, 1852, approved December 21, 1865. Passed March 9.....	February 27.....	Wolcott.
235	An Act supplemental to an act entitled "An act to provide for the valuation and the collection of taxes in the State of Indiana, for the election of township Assessors, and prescribing the duties of Assessors and appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852. Passed March 2.....	February 28.....	Rice.
236	An Act fixing the time of holding the courts in the Tenth Judicial Circuit, changing the length of the terms in some of the counties thereof, and prescribing that in other respects existing regulations shall apply thereto. Passed March 6.....	March 2.....	
237	An Act creating the Nineteenth, Twentieth and Twenty-First Judicial Circuits, and providing for the election of Judges and Prosecuting Attorneys therein, and providing compensation therefor, declaring their jurisdiction, and providing for a transfer of actions thereto. Passed March 6.....	March 2.....	Carson.
240	An Act fixing the time of holding the Circuit Court in the First Judicial Circuit, and repealing all laws in conflict therewith, and making all writs, summons and process returnable thereto, approved March 7, 1867. Passed March 9.....	March 2.....	Carson.
241	An Act to authorize the Directors of the State Prison at Prison at Jeffersonville to contract the convict labor of said prison, and prescribing the terms and conditions of the contract. Passed March 9.....	March 2.....	Taggart.
242	An Act to amend section five of an act to amend an act entitled "An act for incorporating the Wabash Manual Labor College and Teachers' Seminary," approved February 8, 1851. Passed March 6.....	March 4.....	
244	An Act creating the Twenty-Third Common Pleas District, and making provisions therefor, and repealing	March 4.....	

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
245	all conflicting laws..... An Act to repeal section one hundred and thirty-one of an act entitled "An act to provide for a general system of common schools, the officers thereof and their powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named, and for the establishment of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865. Passed March 5.....	March 5.....	Armstrong.
246	An Act to fix the times of holding terms of the Circuit Court in the Eleventh Judicial Circuit. Passed March 7.....	March 5.....	Bellamy.]
247	An Act declaring what persons shall be deemed to have acquired a residence in any township, city, or ward in this State, so as to entitle him to vote therein.....	March 7..... March 9.....	Bennett.

BILLS LAID ON THE TABLE.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
3	An Act regulating the salaries of Prosecuting Attorneys, and repealing all laws inconsistent therewith. Laid on the table February 8.....	January 10.....	Bellamy.
16	A Bill defining a legal day, and prescribing the number of hours of labor in a day's work. Laid on the table February 14.....	January 14.....	Kinley.
18	An Act providing in what manner property shall be sued on execution, or under process of any court in this State. Laid on the table February 26.....	January 14.....	Noyes.
19	An Act to provide for the revision and consolidation of the statutes of the State of Indiana. Laid on the table January 25.....	January 14.....	Walcott.
25	A Bill apportioning the State into Congressional Districts. Laid on the table.....	January 14.....	Kinley.
27	A Bill to divide the State into Congressional Districts. Laid on the table.....	January 15.....	Mason.
39	An Act creating the Fourteenth Judicial Circuit, and fixing the times of holding Courts therein. Laid on the table February 7.....	January 17.....	Richmond.
45	An Act to provide for the erection and maintenance of Houses of Refuge or Schools of Reform, by counties and incorporated cities, and for the confinement and detention therein of prostitutes and females given to habitual intoxication, and also of minors convicted of felonies and misdemeanors. Laid on the table March 6.	January 17.....	Thompson.
51	An Act to regulate the responsibility of inn-keepers. Laid on the table February 26.....	January 18.....	Wolcott.
52	An Act to repeal an act entitled "An act to amend section thirty-five of an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, approved December 10, 1865. Laid on the table February 1.....	January 18.....	Bellamy.
59	An Act to amend sections 1, 5, 7, 12, 14, 16, 18, 25, 26, 38 and 40 of an act entitled "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and to add supplemental sections to said act.		

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
60	Laid on the table February 22..... An Act to apportion Senators and Representatives for the General Assembly of the State of Indiana. Laid on the table February 12.....	January 21.....	Bellamy.
62	An Act entitled "An act to amend an act providing for the settlement of decedent's estates, prescribing their rights, liabilities and duties. Laid on the table February 1.....	January 21.....	Oyler.
66	An Act to amend an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings, and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of practice and pleading, without distinction between law and equity. Laid on the table January 31.....	January 21.....	Jaquess.
67	An Act to amend an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State. Laid on the table February 24.....	January 21.....	Oyler.
68	An Act defining sodomy, and prescribing punishment therefor. Laid on the table January 23.....	January 21.....	Oyler.
72	An Act repealing an act entitled "An act providing for the redemption of real property or any interest therein, sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and repealing all laws in conflict therewith," approved June 4, 1861. Laid on the table February 18.....	January 21.....	Bonham.
73	An Act to regulate and make uniform prices of freights upon railroads in this State. Laid on the table March 9.....	January 22.....	Noyes.
77	An Act to amend an act entitled "An act to provide for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 6, 1859. Laid on the table March 5.....	January 22.....	Church.
78	An Act regulating interest on money, to repeal all laws and parts of laws in conflict with this act, and to repeal the fifty-first section of the act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852. Laid on the table February 25.....	January 22.....	Ward.
80	An Act providing for an organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties, and to repeal all laws in conflict therewith. Laid on the table February 12.....	January 23.....	Wolcott.
81	A Bill to establish a county court in each county in the State, for the election of county Judges, fixing the jurisdiction of said courts, the officers thereof, its powers and duties, for the transfer of business in the Common Pleas Court, and to repeal laws conflicting with this act. Laid on the table February 12.....	January 23.....	Oyler.
82	A Bill districting the State for judicial purposes, and for fixing the time of holding the Circuit Courts in the several counties of the State. Laid on the table March 2.....	January 23.....	Oyler.
83	An Act to amend the first section of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852. Laid on the table February 26.....	January 23.....	Oyler.
85	A Bill to amend the 13th, 14th, 15th, 16th, 17th and 18th sections of an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1865. Laid on the table February 18.....	January 23.....	Noyes.
87	A Bill to prevent persons who have been, or may hereafter be, enrolled, mustered or drafted into the military, naval or marine service of the United States, or of the State of Indiana, who have or shall hereafter desert the same, from exercising the elective franchise at any general or special election held in said State, and forever disfranchising such person. Laid on the table February 8.....	January 23.....	Reagan.
88	A Bill requiring parties who shall institute suits for divorce or slander to give security for costs before pro-	January 23.....	Parrish.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
99	cess issues. Laid on the table January 30.....	January 23.....	Houghton.
	A Bill giving creditors of persons who are insured and burn out a lien on policy of insurance for their debts. Laid on the table February 26.....	January 25.....	Thompson.
104	An Act conferring upon Bishops certain corporate powers, and defining and limiting their rights, powers and duties. Laid on the table January 31.....	January 15.....	Wolcott.
106	An Act to amend section 103 of an act entitled "An Act to revise, simplify, and abridge the rules, practice, pleading and forms in the criminal actions in this State. Laid on the table February 18.....	January 28.....	Bonham.
107	An Act to instruct the School Trustees of cities, incor- porate towns and townships, in their discretion, at the same time, and in like manner as they levy the special school tax, to levy a tax for the purpose of continuing their schools after the school revenues distributed by the State have been expended. Laid on the table Jan- uary 20.....	January 28.....	Cason.
112	A Bill declaring what shall be evidence of desertion under the twenty-first section of the act of Congress en- titled "An act to amend the several acts in force here- etofore, passed to provide for the enrolling and calling out of the National forces, and for other purposes," approved March 3, 1865. Laid on the table Febru- ary 8.....	January 28.....	Parrish.
115	A Bill entitled "An act to provide by law for draining and ditching low, wet, and overflowed lands in the State of Indiana." Laid on the table February 22.....	January 28.....	Smith.
121	An Act to amend an act entitled "An act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adultera- tion of liquors, to repeal all former laws contravening the provisions of this act, and providing penalties for the violation thereof," approved March 5, 1859. Laid on the table February 18.....	January 28.....	Kinley.
122	An Act regulating the practice of Dentistry in the State of Indiana. Laid on the table January 30.....	January 28.....	Hanna.
126	An Act proposing an amendment to the Constitution of this State, providing for the submission of the same to a vote of the electors of this State, at the October election for the year 1867, and authorizing the Gover- nor to issue his proclamation upon the ratification of said amendment, declaring the same to be adopted and a part of the Constitution. Laid on the table March 5.....	January 29.....	Cason.
128	An Act to amend section twenty-eight of an act enti- tled "An act defining felonies, and prescribing pun- ishment thereof," approved June 10, 1852. Laid on the table March 1.....	January 29.....	Rice.
130	A Bill to amend the first section of an act entitled "An act prohibiting Supreme, Circuit, or Common Pleas Judges, County Clerks, Auditors, Treasurers, Rec- orders and their deputies, from practicing law in any of the courts of this State except as in this act per- mitted, and prescribing punishment for the violation thereof," approved March 6, 1865. Laid on the table February 18.....	January 29.....	Sherrerd.
135	An Act vacating portions of highways in certain cases. Laid on the table February 23.....	January 31.....	Rice.
136	An Act to amend section three and repeal section eighteen of an act entitled "An act to allow County Commissioners to organize turnpike companies, when three-fifths of the persons representing real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free," approved March 6, 1851. Laid on the table February 8.....	January 31.....	Mason.
137	An Act to amend section thirty-three of an act entitled "An act to revise, simplify and abridge the rules, practice, and pleadings, and forms in civil actions in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity." Laid on the table February 11.....	January 31.....	Bonham.
138	An Act entitled "An act to amend section two of an act to discourage the keeping of useless and sheep killing dogs, and provide penalties for the violation of any of the provisions of said act by officers and others, and		

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
	also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act for the protection of sheep. Approved June 15, 1865. Laid on the table February 8.....	January 31.....	Mason.
141	An Act to define the crime of drunkenness, and to provide penalties therefor. Laid on the table March 2.....	January 31.....	Milligan.
147	A Bill to amend the fifth clause or subdivision of section seven, repealing the seventh clause, and to amend section eleven of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto," approved May 13, 1852, and to amend sections one and two of an act entitled "An act to amend the sixth section and the third clause of the seventh section, and the twelfth, fourteenth, nineteenth, and twentieth sections of an act entitled an act regulating the granting of divorces, nullification of marriages, and decrees and orders of court incident thereto, and to provide for opening up decrees of divorce in certain cases," approved May 13, 1853, approved March 4, 1859. Laid on the table March 2.....	February 4.....	Church.
150	An Act to amend section fourteen of an act entitled "An act concerning promissory notes and bills of exchange," approved May 12, 1852. Laid on the table February 18.....	February 4.....	Cravens.
157	An Act creating, establishing, and providing for the management and maintainance of four Colleges of Agridulture and the Mechanic Arts, to be located at Indianapolis, Crawfordsville, Greencastle and Bloomington. Laid on the table February 21.....	February 5.....	Reagan.
162	A Bill to establish a college for such branches of knowledge as are connected with agriculture and the mechanic arts, and to carry out the objects of the act of Congress in making donations of land for such purpose. Laid on the table March 5.....	February 9.....	Thompson.
167	A Bill to prohibit selling and buying intoxicating liquors to be used as a beverage, and prescribing penalties for the violation thereof. Laid on the table February 27.....	February 9.....	Ward.
172	An Act to amend section one of an act entitled "An act concerning enclosures, trespassing animals, and protection fences," approved June 4, 1852. Laid on the table March 8.....	February 9.....	Wolcott.
179	An Act authorizing Clerks of the Circuit and Common Pleas Courts to try and determine suits of habeas corpus, issue writs of injunction and temporary restraining orders, and defining additional duties thereof. Laid on the table February 22.....	February 9.....	Hanna.
184	An Act for the relief of Lewis and Eichelberger, Dare and Johnson, Peter Hallowell and Abraham Briggs. Laid on the table March 9.....	February 13.....	Cullen.
188	An Act to amend the second paragraph of the sixth section of an act to provide for the appraisement of the real estate, and prescribing the duties of officers in relation thereto, approved December 1, 1858. Laid on the table February 22.....	February 13.....	Huffman.
193	An Act to amend section twenty-eight of an act entitled "An act defining felonies, and prescribing penalties therefor," approved June 10, 1852. Laid on the table February 20.....	February 14.....	Armstrong.
194	An Act to amend an act entitled "An act providing for the settlement of decedent's estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such cases," approved June 17, 1852. Laid on the table February 18.....	February 14.....	Houghton.
196	An Act authorizing the appointment of three Commissioners to inquire into the condition of the finance of the State, and matters pertaining thereto, defining the powers and duties of such Commissioners and State officers in relation thereto, and appertaining to the legislative, executive and judicial departments of the government of the State, officers, and the management and disbursement of the various funds of the State, and matters properly pertaining thereto. Laid on the table February 22.....	February 15.....	Carson.
202	An Act for the relief of Lucius H. Scott, John Law,		

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
204	William H. Law, and John A. Ritz. Laid on the table February 26..... An Act to amend section one hundred and four of an act entitled "An act to amend sections 78, 79, 94, 95, 104, 142, and 143 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors, appraisers of real property, County Auditors and Treasurers, and the Treasurer and Auditor of State," approved June 21, 1852, and to repeal an act entitled "An act to amend the one hundred and forty-third section of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors of real property, County Treasurers and Auditors, and for the Treasurer and Auditor of the State," approved June 21, 1852; approved March 4, 1859; approved May 31, 1861. Laid on the table March 2.....	February 18.....	Hauna.
205	An Act to amend section one hundred and thirty-two of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of practice and pleading, without distinction between law and equity," approved June 18, 1852. Laid on the table February 26.....	February 18.....	Johnson
209	A Bill to authorize Clerks of Circuit Courts and Courts of Common Pleas to grant injunctions and to issue writs of habeas corpus, and to hear and try the same, and to provide for the trial thereby before the Judges, and to authorize appeals from such injunction orders. Laid on the table February 22.....	February 18.....	Rice.
219	An Act for the relief of Alfred Williams, Treasurer of Brown county, in the State of Indiana. Laid on the table March 1.....	February 19.....	Niles.
221	An Act to provide for the registration of births, marriages and deaths. Laid on the table March 6.....	February 22.....	
222	An Act to allow persons charged with crime to testify in any of the Courts of the State. Laid on the table March 6.....	February 26.....	Robinson.
229	An Act concerning the mutual duties of common carriers. Laid on the table March 5.....	February 26.....	Cullen.
230	An Act to repeal an act entitled "An act to authorize railroad companies to occupy and use for railroad purposes the property of canal companies with their consent, and to secure them in such occupation and use, and for the protection of the hydraulic powers of each canal, and to authorize the lessees of the water privileges in said canal to organize a company or companies for the maintenance thereof, in case of the failure of said canal company to maintain the same," approved November 16, 1865. Laid on the table March 9.....	February	Richmond.
238	An Act to amend and repeal an act to provide for the sale of certain lands belonging to the State of Indiana in the counties of Jasper and Newton, and to give pre-emption to actual settlers therein, approved December 12, 1865, and for the relief of John P. Dunn, former Auditor of State. Laid on the table March 6.....	February 28.....	Cason.....
		March 2.....	Oyler.

BILLS INDEFINITELY POSTPONED.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
6	An Act to amend section fifteen of an act entitled "An act providing for and regulating the relation of master and apprentice. Indefinitely postponed January 13.....	January 11.....	Bennett.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
10	A Bill apportioning Senators and Representatives. Indefinitely postponed February 11.....	January 11.....	Bennett.
15	An Act districting the State of Indiana for Senatorial and Representative purposes. Indefinitely postponed February 12.....	January 14.....	Hanna.
23	An Act to amend an act entitled "An act defining felonies, and prescribing punishment therefor." Indefinitely postponed January 25.....	January 14.....	Oyler.
31	A Bill to amend section one hundred and sixteen of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in courts of this State," approved June 17, 1852. Indefinitely postponed January 23.....	January 15.....	Bellamy.
48	An Act to amend an act entitled "An act for the punishment of officers of elections for the refusing or neglecting to receive the votes of legal voters. Indefinitely postponed January 25.....	January 17.....	Oyler.
49	An Act requiring the Clerks of Circuit and Common Pleas Courts of this State to index the records in their offices, and providing compensation therefor. Indefinitely postponed January 25.....	January 17.....	Cullen.
55	An Act to amend sections five and eleven of an act entitled "An act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws in conflict with this act," approved February 18, 1859. Indefinitely postponed February 15.....	January 21.....	Bellamy.
64	An Act to amend an act entitled "An act fixing the compensation of Township Assessors. Indefinitely postponed January 28.....	January 21.....	Parrish.
84	A Bill relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries. Indefinitely postponed March 1.....	January 23.....	Bennett.
101	A Bill to amend section fifth of an act to provide for a uniform mode of doing township business. Indefinitely postponed January 30.....	January 25.....	Church.
110	An Act to repealing an act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs, approved March 11, 1861. Indefinitely postponed January 31.....	January 23.....	Staggs.
113	An Act to amend the six hundred and forty-seventh section, and to repeal the six hundred and forty-ninth section of an act entitled "An act to revise, simplify and abridge the rules, practice, and pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," passed June 18th, A. D., 1852. Indefinitely postponed January 31.....	January 28.....	Terry.
127	An Act to amend an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act." Indefinitely postponed February 14.....	January 29.....	Reynolds.
133	An Act to provide for and authorize the completion of records of the transfer of real estate, and completing the chain of title thereto. Indefinitely postponed February 13.....	January 31.....	Milligan.
134	An Act authorizing and empowering incorporated towns to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors within their corporate limits, and prescribing penalties for the violation thereof. Indefinitely postponed February 18.....	January 31.....	Oyler.
139	A Bill to carry into effect the benefits of an act of Congress, approved January 5, 1852, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts, and to establish and locate a college for the promotion of general science, and the teaching of such branches of learning as are related to agriculture and the mechanic arts, and to military tactics," and for the acceptance of dona-		

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
	tions for the benefit of such college. Indefinitely postponed March 1.....	January	Milligan.
	An Act regulating the filing of petitions or complaints in Commissioner's Courts. Indefinitely postponed March 5.....	February 5.....	Bellamy.
	An Act to amend an act entitled "An Act declaratory of the law regulating marriage, and enforcing the provisions thereof by proper penalties." Indefinitely postponed February 26.....	February 15.....	
	An Act regulating the running at large of swine within this State, and affixing penalties for violating the same, and declaring an emergency. Indefinitely postponed March 6.....	March 1.....	Reagan.
	An Act legalizing the appointment of guardians for persons of unsound mind. Indefinitely postponed March 8.....	March 1.....	Reagan.

BILLS FAILED TO PASS.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
9	A Bill to amend section thirteen of an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases. Failed to pass February 28.....	January 11.....	Church.
92	An Act to amend the fifth clause of section twenty-two of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852. Failed to pass February 28.....	January 25.....	Johnson.
100	An Act limiting the liabilities of inn keepers. Failed to pass March 6.....	January 25.....	Jaquess.
142	A Bill to provide for the payment of certain moneys due from the State to the firm of Morehead, Hall & Co., and H. K. Wright & Jacob Barcus. Passed March 1.....	January 31.....	Stein.
144	An Act to provide for impartially empannelling juries in certain cases. Failed to pass March 1.....	February 4.....	Thompson.
153	An Act to provide for the incorporation of religious societies, and defining their powers. Failed to pass for want of a constitutional majority, March 1.....	February 4.....	Robinson.
155	A Bill to regulate the salaries of Clerks of the Circuit Court, County Auditors, County Treasurers, County Recorders and Sheriffs, and to provide for the payment of their fees into the county treasuries of the State, and providing for their deputies, and their salaries and appointments. Failed to pass March 5.....	February 5.....	Richmond.
168	A Bill to provide for the prosecution of bastardy in certain cases. Failed to pass March 5.....	February 9.....	Taggart.
170	An Act to amend section seventy of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil courts," approved June 9, 1852. Failed to pass March 5.....	February 9.....	Huffman.
177	An Act to amend section eight of an act entitled "An act to amend an act entitled an act authorizing the construction of plank, macadamized and gravel roads, and to empower the same to make sale of a portion of their roads. Failed to pass March 5.....	February 9.....	Richmond.
183	A Bill to legalize railroad consolidations, and declaring the law of such emergency. Failed to pass March 6.....	February 12.....	Cravens.
189	An Act to amend an act entitled "An act to provide for the collection and assessment of the real and personal property, and in the collection of taxes in the State of Indiana, for the election of township assessors, appraisers of real property, and prescribing the duties of township assessors, appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State, and for the repeal of section one hundred and thirty-eight of said act," approved June 21, 1852. Failed to pass March 4.....	February 14.....	Cullen.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
192	An Act to amend section eleven of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855. Failed to pass March 5.....	February 14.....	Bellamy.
210	A Bill to amend the second section of an act entitled "An act supplemental to an act to regulate and license the sale of spiritous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and, prescribing penalties for the violation thereof," approved March 5th, 1859, providing for appeals in the case of persons applying for license to sell intoxicating liquors, and for those remonstrating against such applications under the provisions thereof, and to make a trial by jury in suits in relation thereto final, and authorizing appeals to the Supreme Court. Failed to pass March 5.....	February 19.....	Bennett.
216	An Act to encourage the republication of Blackford's Reports, and appropriating money to pay for the same. Failed to pass March 6.....	February 22.....	
217	A Bill to regulate the practice of dentistry in the State of Indiana. Failed to pass March 5.....	February 22.....	
224	An Act to amend section sixteen of an act entitled "An act for the government of the Indiana Hospital for the Insane, and the care of the insane of Indiana," approved January 15, 1852. Failed to pass March 6.....	February 22.....	Bellamy.
225	An Act to amend an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of this act," approved December 21, 1865. Failed to pass March 5.....	February 26.....	Oyler.

BILLS AWAITING ACTION OF THE SENATE.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
44	An Act to amend an act entitled "An Act to prevent emigration from any other State into this State, or from one county or township in this State into another county or township in this State for the purpose of influencing or carrying the election in such other county or township, and prescribing penalties against persons aiding or abetting, counseling or engaging therein. Referred to Committee on Elections January 25.....	January 17.....	Oyler.
56	An Act leasing the Northern State Prison, and providing for the appraisement and transfer of the property belonging to the State in and about said prison to the lessees. Referred to Committee on Prisons, January 23.....	January 21.....	Cason.
57	An Act to divide the State into Congressional Districts. Referred to Committee on Congressional Apportionment, February 5.....	January 21.....	Oyler.
71	An Act relating to joint stock insurance companies organized under the laws of Indiana. On file; reported from committee February 13; passage recommended.....	January 22.....	Brown.
90	An Act to provide for the sale of certain land therein named, to provide for the erection and management of a House of Correction, and for the conviction and punishment of juvenile offenders. Referred to Joint Committee January 28.....	January 25.....	Thompson.
109	An Act to amend section five of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing certain fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent		

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
123	therewith, providing penalties therein prescribed," approved March 6, 1865. Engrossed February 5.....	January 28.....	Carson.
124	An Act to provide for the burying of dead animals, and prescribing punishment for a violation thereof. Referred to Committee on Corporations.....	January 28.....	Cullen.
132	An Act creating the ——— Judicial Circuit, and providing for the appointment and election of Judges and Prosecuting Attorneys therefor, and the limits of holding courts in the several counties therein. Referred to Committee on Organization of Courts, January 30.....	January 29.....	Taggart.
145	An Act relating to witnesses. On file March 6.....	January 31.....	Carson.
146	An Act to amend section first of an act entitled "An act to provide a State debt sinking fund for the payment of the principal and interest of the five and two and one-half per cent. stocks of the State therein named, and giving priority of payment to the holders of the two and one-half per cent. stocks of the State of Indiana, prescribing the duties of the Auditor, Treasurer and Agent of State thereto; providing for a clerk for the State debt sinking fund and fixing his salary, and providing a penalty for a violation of its provisions; abolishing the Board of Sinking Fund Commissioners, and all officers connected therewith, and the office of the Agent of State in the City of New York; to invest the moneys of the State debt sinking fund in the stocks of this State; transferring the business of said Board of Sinking Fund Commissioners to the Auditor and Treasurer of State; providing that the tax therein levied shall be taken, and therein considered as a part of the tax levied under an act entitled an act to raise revenue for the State purposes for the years one thousand eight hundred and sixty-five, and one thousand eight hundred and sixty-six," approved May 2, 1865, and declaring an emergency for the immediate taking effect of this act, approved December 21, 1865. Referred to Committee on Finance February 5.....	February 4.....	Carson.
160	An Act to amend section one of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed. Referred to Committee on Education February 5.....	February 4.....	Carson.
163	An Act to prevent persons who have been, or may hereafter be enrolled, mustered or drafted into the military, naval or marine service of the United States, or of the State of Indiana, and who have deserted or shall hereafter desert the same, from exercising the elective franchise at any general or special election held in said State, and forever disfranchising such persons, and prescribing what evidence shall be <i>prima facie</i> in such cases under this act, and under the twenty-first section of the act of Congress entitled "An act to amend the several acts in force, heretofore passed to provide for the enrolling and calling out of the national forces, and for other purposes," approved March 3, 1865. Reported from Committee on Military Affairs as a substitute for Senate bills Nos. 87 and 112; recommitted with instructions March 2.....	February 8.....	
182	An Act to amend section one hundred and fifty-seven of an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed. Referred to Committee on Education.....	February 9.....	Cravens.
	An Act to amend section eleven of an act entitled "An act to provide compensation to the owners of animals killed or injured by the cars, locomotives or other carriages of any railroad company in the State," approved March 1, 1853, repealing all laws in conflict therewith, and declaring an emergency. Read third		

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
197	time February 20; failed for want of a constitutional majority; taken up March 1, indefinitely postponed; vote reconsidered; made the special order for March 5. A Bill supplemental to an act regulating decedents, and the apportionment of estates, approved May 14, 1852. Reported back March 9; passage recommended.....	February 12.....	Cumback.
208	A Bill for an act to amend an act entitled "An act to amend an act entitled an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852, approved February 9, 1857. Referred to Committee on Judiciary	February 15.....	
228	An Act to regulate the measurement of work done by plasterers, joiners, carpenters, bricklayers, stone-layers and painters, and declaring an emergency. Read a third time March 1; recommitted to special committee.....	February 27.....	
233	An Act to appropriate certain sums of money to the Antietam National Cemetery, and to the Soldiers' National Cemetery at Gettysburg. Reported back March 2; passage recommended.....	March 1.....	Reynolds.
239	An Act to amend the title of an act entitled "An act entitled an act making general appropriations for the year 1866, repealing certain sections of an act therein named, and declaring an emergency. Referred to Committee on the Judiciary.....	March 2.....	Bonham.
243	A Bill to authorize the Governor, Auditor, Treasurer and Secretary of State to contract the labor of the State Prisons of Indiana, and prescribing terms and conditions in reference thereto. Reported back March 8; passage recommended.....	March 5.....	

JOINT RESOLUTIONS PASSED.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
1	Joint Resolution ratifying certain proposed amendments to the Constitution of the United States. Passed January 15.....	January 11.....	Bennett.
4	Joint Resolution instructing our Senators and requesting our Representatives in Congress to do all in their power to secure the passage of an act of Congress authorizing the Secretary of the Treasury to use all the funds now in his possession, or which may hereafter come into his possession, and not otherwise appropriated, in the redemption first of the interest bearing portion of the public debt. Passed January 23.....	January 31.....	Jaquess.
5	A Joint Resolution in regard to destroying certain bills and bank plates in possession of the Auditor of State. Passed March 4.....	January 31.....	Walcott.
9	Joint Resolution in relation to an appropriation for improving the harbor at Michigan City. Passed March 7.....	March 7.....	
10	Joint Resolution in relation to the imprisonment in Canada of Rev. John M. McMahan. Passed March 8.....	March 8.....	Stein.

JOINT RESOLUTION LAID ON THE TABLE.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
3	A Joint Resolution declaring that, in the opinion of the General Assembly, the State of Indiana was, at the time of the arrest of the conspirators, Dodd, Milligan, Bowles and Horsey, in a state of war, the decision of the Supreme Court to the contrary notwithstanding. Laid on the table February 26.....	January 18.....	Richmond.

JOINT RESOLUTIONS AWAITING ACTION OF THE SENATE.

Number.	TITLE.	WHEN INTRODUCED.	BY WHOM.
2	Joint Resolution in relation to a ship canal connecting Lake Erie and Lake Ontario. Reported back January 25; passage recommended.....	January 15.....	Carson.
6	Joint Resolution instructing our Senators in Congress to use their influence to prevent the confirmation of persons nominated to office to fill vacancies occasioned by the removal of persons for political purposes. Referred to Committee on Federal Relations February 11.....	February 9.....	Bonham.
7	Joint Resolution for the relief of John I. Morrison, late Treasurer of State. Reported back March 6; passage recommended.....	March 4.....	Stein.
11	Joint Resolution furnishing the library of Congress with the statute laws of this State, and other books and public documents.....		

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TURNER, W. S.—

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resolutions by.....	54, 195, 399, 528, 835, 967, 975
petitions by.....	181, 339, 456, 726
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SENATE BILLS IN REGULAR SESSION, 1867.

1054

Number.	TITLE.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Speaker Signed.	Governor Signed.
✓ 1	An act to divide the State into Congressional Districts.....	11	Bennett.....	58, 260, 313, 370, 371, 428 to 433, 532, 533, 544	433	532	556	559
✓ 2	An act to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and providing compensation for the services of such officers.....	11	Thompson.....	[473 to 477, 854, 855, 856, 857, 858, [859, 860, 925, 928, 931, 932, 994, 58, 273 to 280, 313, 413, 417 to 420,	.....	854	998	1001
✓ 3	An act regulating the salaries of Prosecuting Attorneys, and repealing all laws inconsistent therewith.....	11	Bellamy.....	58, 353.....	.....	.....	.....	.....
✓ 4	An act to establish a home for the maintenance of sick and disabled Indiana soldiers.....	46	Cullen.....	58, 394, 395, 405 to 412, 544, 919, 995	412	918	998	1004
✓ 5	An act to amend an act entitled "An act to amend an act entitled an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian and Clerk, approved March 4, 1859, and also increasing the powers and duties of the State Librarian, approved Dec. 20, 1865,".....	46	Oyler.....	59, 92, 121, 147, 370, 371, 455, 479, 486, 490, 496	480	505	471	.....
✓ 6	An act to amend section fifteen of an act entitled "An act providing for and regulating the relation of master and apprentice".....	46	Bellamy.....	59, 190, 191, 260.....	.....	.....	.....	.....
✓ 7	A bill to repeal an act entitled "An act to enforce the 13th Article of the Constitution".....	47	Bennett.....	59, 211, 226, 227, 250, 251.....	228	556	.....	596
✓ 8	An act to provide for the care and custody of the person and estate of habitual drunkards.....	47	Cullen.....	59, 217, 319, 906.....	.....	896	936	963
✓ 9	A bill to amend section 13 of an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases.....	47	Church.....	59, 82, 96, 121, 345, 644.....	.....	.....	.....	.....
✓ 10	A bill apportioning Senators and Representatives.....	47	Bennett.....	59, 414.....	.....	.....	.....	.....
✓ 11	An act to amend sections three and fourteen of an act entitled "An act to allow County Commissioners to organize turnpike companies, where three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free," approved March 6, 1865.....	47	Cullen.....	59, 60, 136, 191, 192, 193, 211, 228, 962	229	895	965	964
✓ 12	A bill for the correction of mistakes in conveyances where a married woman is a party.....	54	Bellamy.....	71, 135, 151, 182, 228.....	228	.....	.....	.....
✓ 13	An act to authorize and provide for changes of venue in civil action in certain cases.....	55	Oyler.....	71, 254, 314, 843.....	345	829	861	868
✓ 14	A bill to establish a Board of Emigration for the purpose of encouraging emi-							

gration to the State of Indiana, from the Eastern States of the United States, and from the countries of Europe.....	Thompson	71, 420, 486, 673.....	675	
A bill districting the State of Indiana for Senatorial and Representative purposes.....	Hanna	71, 413, 414		
A bill defining a legal day, and prescribing the number of hours of labor in a day's work.....	Kinley	71, 260, 339, 456.....		
A bill to amend the title of an act entitled "an act concerning licenses to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet shows and legerdemain,".....	Parrish	71, 81, 97, 122.....	122	
A bill providing in what manner property shall be sold on execution, or under process of any court in this State.....	Noyes.....	72, 613		
A bill to provide for the revision and consolidation of the Statutes of the State of Indiana.....	Wolcott.....	72, 184, 199, 211, 231.....		
A bill to amend an act entitled "an act prohibiting Supreme, Circuit or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs, and their deputies, from practicing law in any of the courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof," approved March 6, 1865	Oyler	72, 81, 97, 122, 675.....	676	
A bill supplemental to an act approved March 6, 1859, entitled "an act authorizing the purchasers of railroads, plank roads, turnpike roads, macadamized roads, or parts thereof, under mortgage sale or sales, made according to the terms of deeds of trust, to organize as incorporated companies, and prescribing their powers and duties," extending the time provided in said act for the organization of such distinct corporations by such purchasers.....	Gravens	56, 57, 73, 74.....	74	265 273
A bill regulating the fees of Clerks, Justices of the Peace, and Notaries, in certain cases.....	Jaquess	72, 84, 121, 147, 898	148	899 { 914 } 1000
A bill to amend an act entitled "an act defining felonies, and prescribing punishment therefor," approved June 10, 1852.....	Oyler	72, 184.....		
A bill to legalize acknowledgments of all deeds, mortgages, and other instruments required to be recorded, taken and certified by Notaries Public, who took and certified such acknowledgments after the expiration of their commissions, or vacation of their appointments.....	Church	72, 84, 97, 123, 146.....	147	558 559
A bill apportioning the State into Congressional Districts.....	Kinley.....	73, 269, 313		
An act appropriating seventy-five thousand dollars to defray the expenses of the forty-fifth session of the General Assembly.....	Gullen	65, 66, 82, 83, 155, 156, 157, 180	84	273
A bill to divide the State into Congressional Districts.....	Mason	85, 260, 370, 371.....		
A bill to amend section eighteen of an act entitled "an act prescribing the powers and duties of Justices of the Peace in State prosecutions,".....	Bonham	90, 182, 211, 229, 849.....	229	808
A bill defining who shall be competent witnesses in any court or judicial proceedings in this State, and to repeal all laws and parts of laws in conflict with the provisions of this bill.....	Bennett.....	90, 136, 212, 233, 234, 235, 280, 954, 955, 991	281	1002
A bill to provide for the protection of fish, defining the time in which they may be trapped or netted, affixing the penalty for the violation of the act, and declaring an emergency	Reagan	90, 190, 223, 231, 342, 912, 939.....	343	934
A bill to amend section 117, and to repeal section 116, of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in courts of this State," approved June 17 1852.....	Bellamy	90, 137		
A bill to provide for issuing <i>capias ad satisfaciendum</i> when in action for replevin of personal property, defendant shall fraudulently conceal, remove,				

BILLS OF THE SENATE—Continued.

1056

Number.	TITLES.	Introduced.	By what Senator.	Proceedings Thereon.	Passed Senate.	Passed House.	Speaker Signed.	Governor Signed.
✓33	transfer, withhold, or refuse to deliver said property, and providing the manner of proceedings to obtain said writ in certain cases therein specified.							
	A bill to amend sections 10, 13, 14, 15, 16, 17, and 18, of an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.....	67	Rice	91, 185, 224, 281, 914.....	282	896	937	963
✓34	A bill to amend section three of an act entitled "an act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the Judges thereof," approved May 14, 1852, and creating a new District, and providing for the appointment of a Judge therein.....	67	Bennett	91, 187, 212, 223, 282, 283.....	284			
✓36	A bill to amend sections 19 and 20 of an act entitled "an act defining felonies and prescribing punishment therefor," approved June 10, 1852, defining the offences of grand and petit larceny, and prescribing the punishment therefor.....	67	Cullen	91, 136, 212, 229.....	230			
✓36	A bill to amend "an act to provide for the appointment of a Sheriff of the Supreme Court, and prescribing certain of his duties and fees," approved May 13, 1852.....	68	Stein.....	91, 184, 212, 494, 538.....	538			
✓37	An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.....	68	Richmond.....	91, 189, 190, 224, 284, 343.....	343			
✓38	An act to amend section twenty of an act entitled "an act to amend an act entitled an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved January 20, 1855.....	86	Carson.....	94, 242, 294, 295, 326, 447, 871, 872, 873, 906.....	447	870	908	
✓39	A bill creating the Fourteenth Judicial Circuit, and fixing the times of holding courts therein.....	86	Wyatt.....	95, 187, 188, 224, 285, 591.....				
✓40	A bill defining what counties shall constitute the Thirteenth Judicial Circuit.	87	Richmond.....	95, 245, 270, 295, 345, 354, 355, 356.....	448	828	998	1001
✓41	A bill to authorize cities, towns and townships to subscribe for, purchase and hold stock of turnpike, plank road and railroad companies; to issue and negotiate bonds, and provide a sinking fund, and to levy a tax to pay interest, and to create a sinking fund, and providing when the act shall take effect and be in force.....	87	Richmond.....	95, 244, 271, 295, 345, 448, 834, 842, 965, 995.....				
✓42	A bill defining what counties shall constitute the Seventh Judicial Circuit, and fixing the time for holding the courts therein.....	87	Church	94, 367, 368, 391, 392, 393, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.....	539	953	998	624
		87	Bonham	112, 183, 185, 246, 247, 270, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.....	448	556	506	

43	A bill to amend section fifteen of an act entitled "an act to provide for the opening, vacating and change of highways," approved June 17, 1852.....	87	Farrish	113, 182, 221, 286, 914.....	286	896	937
44	A bill to amend an act entitled "an act to prevent emigration from any other State into this State, or from one county or township in this State into another county or township in this State, for the purpose of influencing or carrying the election in such other county or township, and prescribing penalties against persons aiding, abetting, counseling, or engaging therein,"	88	Oyler	113, 116			
45	An act to provide for the erection and maintenance of houses of refuge, or schools of reform, by counties and incorporated cities, and for the confinement and detention therein of prostitutes and females given to habitual intoxication, and also of minors convicted of felonies and misdemeanors....	88	Thompson	113, 788.....			
46	A bill to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof	88	Wolcott.....	95, 257, 327, 396, 397, 398, 480 to 467, 482, 483, 491, 646, 647, 673	744		
47	A bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops.....	88	Richmond.....	113, 367, 592, 601, 621, 644, 938.....	645	896	937
48	A bill to amend an act entitled "an act for the punishment of officers of elections for refusing, or neglecting, to receive the votes of legal voters.....	88	Oyler	113, 183, 652.....			
49	An act requiring the Clerk of the Circuit and Common Pleas Courts of the State to index the records in their offices, and providing the compensation therefor.....	89	Cullen.....	95, 186, 187			
50	A bill to amend section twelve of "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein," approved march 6, 1865.....	93	Cumback.....	94, 134			
51	A bill to regulate the responsibility of innkeepers.....	93	Wolcott.....	94, 613			
52	A bill to repeal an act entitled "an act to amend section thirty-five of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed," approved March 6, 1865, approved December 20, 1865.....	93	Bellamy	94, 268			
53	A bill to amend the first section of an act entitled "an act to amend the first section of an act to amend an act entitled subject to amend the sixth section of an act providing for the organization of County Boards, and prescribing some of their powers and duties," which first above mentioned act was approved June 17, 1852; that said second mentioned act was approved February 16, 1859; which latter act, last above mentioned, was approved March 9, 1861, and which act hereby amended was approved March 7, 1863.	115	Carson	116, 142, 259, 346	346		
54	A bill authorizing the assessment of all lands within one and one-half miles on either side, or within one and one-half miles of the terminus of any plank, macadamized, or gravel road, organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled "an act authorizing the construction of plank, macadamized and gravel roads,"						

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings Thereon.	Passed Senate.	Passed House.	Speaker Signed.	Governor Signed.
55	(approved May 12, 1852.) when the subscription to such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same, and the collection of such assessment, provided the lands are situated within the county in which such road is located.....	116	Richmond.....	143, 205, 356, 357, 400, 487, 519, 995	520	905	999	
56	A bill to amend sections five and eleven of an act entitled "an act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws in conflict with this act," approved February 18, 1859.....	117	Bellamy.....	143, 484.....				
57	A bill leasing the Northern State Prison, and providing for the appraisement and transfer of the property belonging to the State in and about said prison to the lessees.....	117	Cason.....	143.....				
58	An act to divide the State into Congressional Districts.....	117	Oyler.....	143, 269, 313, 370, 371.....				
59	A bill to amend an act entitled "an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State,".....	118	Parrish.....	143, 149, 202, 225, 938.....	285	896	937	963
60	A bill to amend sections 1, 5, 7, 12, 14, 16, 18, 25, 26, 28 and 40 of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and to add supplemental sections to said act.....	118	Bellamy.....	144, 502.....				
61	A bill to apportion Senators and Representatives for the General Assembly of the State of Indiana.....	118	Oyler.....	144, 414.....				
62	A bill to amend section thirty of an act entitled "an act to amend an act entitled an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 6, 1859; which last mentioned act was approved December 20, 1865.....	118	Carson.....	144, 258, 295, 346.....	347			
63	A bill entitled an act to amend "an act providing for the settlement of decedents estates, prescribing their rights, liabilities and duties,".....	119	Jaquess.....	144, 188, 189, 225, 286.....				
	A bill for the repeal of statutes not in conformity with the ruling of the							

Supreme Court, in the case of Langdon against Applegate and others, and limiting actions arising out of the same, or for a violation thereof.....	119	Stein	145, 215, 296, 347, 807	347	891	898	1000
64 A bill to amend an act entitled "an act fixing the compensation of township Assessors,"	119	Parrish	145, 202				
65 A bill to punish officers of elections for receiving illegal votes.....	119	Bonham	145, 353				
66 A bill to amend an act entitled an act to revise, simplify and abridge the rules, practice, pleadings, and forms in civil cases in the Courts in this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice with out distinction between law and equity	119	Oyler	145, 253				
67 A bill to amend an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings, and forms in criminal actions in the courts of this State.....	120	Oyler	145, 613				
68 A bill defining sodomy, and prescribing punishment therefor.....	124	Bonham	137	146	217	217	273
69 A bill to make an appropriation for sheriff's mileage.....	125	Wolcott.....	145.....				
70 A bill to amend section fifty-seven of an act for the incorporation of cities, approved December 20, 1865, authorizing subscriptions and donations to aid in the construction of plank, macadamized, and railroads, moving into and through such cities, prescribing the manner in which such subscriptions and donations may be made, and for the enforcement thereof.....	126	Milligan.....	135, 226, 286, 287, 324, 833, 850.....	325	833	861	868
71 A bill in relation to joint stock insurance companies organized under the laws of Indiana.....	126	Brown.....	421, 422				
72 A bill repealing an act entitled "an act providing for the redemption of real property, or any interest therein, sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith," approved June 4, 1861	126	Noyes	404				
73 A bill to regulate and make uniform the prices charged by railroad companies for transporting goods, merchandise, and material, to and from stations on railroads in this State.....	126	Church	191, 225, 626, 627, 641, 745, 893.....				
74 A bill amendatory of an act entitled "an act to provide for the more uniform method of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act," approved February 13, 1859.....	127	Cumback	202, 225, 258, 347.....	348			
75 A bill for the incorporation of slackwater navigation companies, and defining their powers and duties.....	127	Reynolds.....	363, 401, 539, 547, 995	548	936	998	1001
76 A bill to increase the salary of the Prosecuting Attorney of the Criminal and Circuit Courts, and providing the manner of paying the same.....	127	Thompson	353, 400, 539	539	936	936	
77 An act to amend an act entitled "an act to provide for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859.....	127	Ward	748.....				
78 A bill regulating interest on money, to repeal all laws or parts of laws in conflict with this act, and to repeal the fifty-first section of the act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852.....	128	Wolcott	610.....	542	956	998	1004
79 A bill providing for the incorporation of electric telegraph companies.....	138	Jacquess ..	421, 516, 540, 541, 956, 994.....				
80 A bill providing for the organization of Circuit Courts, and to repeal all laws in thereof, and defining their powers and duties, and to repeal all laws in conflict therewith.....	138	Oyler	320, 375, 403, 404, 566				

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings Thereon.	Passed Senate.	Passed House.	Speaker Signed.	Governor Signed.
✓ 81	A bill to establish a county court in each county in the State, for the election of county judges, fixing the jurisdiction of said courts, the officers thereof, its power and duties, for the transfer of business in the Common Pleas Courts, and to repeal all laws conflicting with this act.....	139	Oyler	320, 321, 375, 403, 404, 566.....				
✓ 82	A bill directing the State for judicial purposes, and for fixing the time of holding the Circuit Courts in the several counties of the State.....	140	Oyler	727				
✓ 83	A bill to amend the first section of an act entitled "an act to revise, simplify, and abridge the rules practice, pleading, and forms, in civil cases, in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	140	Noyes	256, 615.....				
✓ 84	A bill relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries.....	140	Bennett.....	215, 216, 253, 272, 375, 601, 608, 699, 700	701			
✓ 85	A bill to amend the 13, 14, 15, 16, 17, and 18 sections of an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855.....	140	Reagan	492.....		806		964
✓ 86	A bill for an act supplemental to an act entitled "an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological Institutions, and Missionary Boards," approved February 28, 1855.....	140	Howk	321, 386, 539, 939.....	540			
✓ 87	A bill to prevent persons who have been, or may hereafter be enrolled, mustered or drafted in the military, naval or marine service of the United States, or of the State of Indiana, who have, or hereafter shall desert the same, from exercising the elective franchise at any general or special election held in said State, and forever disfranchising such persons.....	141	Parrish	364.....				
✓ 88	A bill requiring parties who shall institute suits for divorce or slander, to give security for costs before process issues.....	141	Houghton	236.....				
✓ 89	A bill providing for the incorporation of steam packet companies.....	141	Howk.....	322, 386, 540, 616, 994.....	541	956	998	1001
✓ 90	A bill to provide for the sale of certain land therein named; to provide for the erection of a House of Correction, and for the conviction and punishment of juvenile offenders.....		Thompson					
✓ 91	A bill to assert the control of the State over railroad corporations; to fix the rates of freight, and to prevent extortions, and to provide rules and by-							

laws for such roads, and the punishment for the violation thereof, and to provide for the licensing of locomotive engineers.....	745
195 A bill to amend the fifth clause of section twenty-two of an act entitled "an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852.....	937
196 A bill to amend section one of an act entitled "an act concerning interest on money," approved May 27, 1852.....	963
196 A bill to provide for the protection of fur bearing animals.....	896
196 A bill to amend an act entitled "an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto, approved March 5, 1859, approved December 20, 1865.....	937
196 A bill to amend the seven hundred and sixteenth section of an act entitled an act concerning the writ of habeas corpus.....	998
196 A bill designating certain holidays, and relative to negotiable paper falling due thereon.....	922
197 A bill making specific appropriations for the support of benevolent institutions.....	586
197 A bill giving creditors of persons, who are insured and burn out a lien on policies of insurance for their debts.....	631
197 A bill limiting the liability of inn keepers.....	222
198 A bill to provide for the custody and management of the notes, bonds, and mortgages arising directly out of loans heretofore made by the Board of Sinking Fund Commissioners; to continue in force all laws or parts of laws in force on the 20th day of January, 1867, which are applicable to said loans and the securities thereof; to clothe said Auditor with the powers and subject him to the duties in relation to said loans and securities thereof, which, by said laws, are vested in or imposed upon said Board of Sinking Fund Commissioners; to provide for the incidental expenses of the management of said loans and securities, including clerk hire, and for the mode and period of the payment of said allowance for expenses, substituting the seal of the Auditor of State, for that of the Board of Sinking Fund Commissioners, and declaring an emergency for the immediate taking effect of this act.....	342
198 A bill to prevent persons from injuring or destroying insured property, and from making false proofs thereof; prescribing penalties for the same.....	337
198 A bill conferring upon Bishops certain corporate powers, and defining and limiting their rights, powers and duties.....	879
198 A bill to amend section five of an act entitled "an act providing for an organization of Circuit Courts, the election of judges thereof, and defining their powers and duties," approved June 1, 1852, and providing from Criminal and Civil Circuit Courts, approved December 20, 1865.....	1000
198 A bill to amend section 103 of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in criminal actions in this State,".....	1002
206 A bill to amend section 103 of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in criminal actions in this State,".....	861
207 A bill to amend section 103 of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in criminal actions in this State,".....	904

195 Cason.....	256, 627, 641, 718, 719, 745.....	745
196 Johnson.....	357 to 362, 400, 541, 676.....	896
196 Brown.....	609, 632, 679, 693, 696, 938.....	937
196 Church.....	257, 298, 369, 389, 586, 677.....	998
196 Reynolds.....	25, 259, 296, 348, 922, 823, 996.....	922
196 Mason.....	223, 296, 586.....	586
197 Niles.....	216, 296, 588, 631.....	631
197 Kinley.....	220, 221, 222.....	222
197 Thompson.....	612.....	612
198 Jaquess.....	269, 385, 588, 677, 809.....	809
198 Church.....	259.....	259
198 Bennett.....	346, 880, 881, 907, 908, 994.....	994
198 Thompson.....	216, 296, 325, 485, 589, 936.....	936
198 Wolcott.....	255, 589.....	589
206 Carson.....	235, 296, 589, 678, 840.....	840
207 Bonham.....	491.....	491

BILLS OF THE SENATE—Continued.

1062

Number.	TITLES.	Introduced.	By what Senator.	Proceedings Thereon.	Passed Senate.	Passed House.	Speaker Signed.	Governor Signed.
✓ 107	A bill to invest School Trustees of cities, incorporated towns and townships, in their discretion, at the same time and in like manner as they levy the special school tax to levy a tax for the purpose of continuing their schools after the school revenues distributed by the State have been expended.....	207	Cason	336.....				
✓ 108	A bill to amend an act entitled "an act for the incorporation of insurance companies, defining their powers and prescribing their duties," approved June 17, 1852.....	207	Bollamy	579, 603, 703.....	701			
✓ 109	A bill to amend section five of an act entitled "an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.....	207	Carson.....	257, 297				
✓ 110	A bill to repeal an act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs, approved March 11, 1861.....	208	Staggs	260.....				
✓ 111	A bill authorizing Township Trustees, Trustees of incorporated towns, and the Common Council of cities to levy a tax for school purposes.....	208	Kinley.....	268, 297, 537, 906	537	896	936	963
✓ 112	A bill declaring what shall be evidence of desertion under the twenty-first section of the act of Congress, entitled "an act to amend the several acts in force, heretofore passed, to provide for enrolling and calling out the national forces, and for other purposes," approved March 3, 1865.....	208	Parrish	364.....				
✓ 113	A bill to amend the six hundred and forty-seventh section, and repeal the six hundred and forty-ninth section of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms, in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," passed June 18, A. D. 1852.....	208	Terry	260.....				
✓ 114	A bill to amend an act entitled "an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation							

✓ 115	of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and adding supplemental sections thereto.....	208	Kinley	229 to 312, 449, 450, 451, 452, 520 to 527, 592, 633, 692	693
✓ 116	A bill entitled an act to provide by law for draining and ditching low, wet and overflowed land, in the State of Indiana.....	209	Smith	459, 516, 593.....	
✓ 117	A bill entitled an act to amend sections 18 and 25 of an act entitled "an act for the government of the Indiana Hospital for the Insane, and the care of the Insane of Indiana," approved January 15, 1852.....	209	Terry	422, 516, 705.....	705
✓ 118	A bill to amend sections 1 and 10 of an act entitled "an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing punishment for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,".....	209	Kinley.....	628, 704	704
✓ 119	A bill to require Clerks of the Courts of Common Pleas to specify by separate items the fees and services for which they may demand payment of executors, administrators or guardians.....	209	Niles	236, 297, 593, 939	936
✓ 120	A bill entitled an act amending the 13th section of the act approved June 4, 1861, entitled an act to provide for the incorporation of Street Railroad Companies.....	210	Thompson	242, 297	965
✓ 121	A bill to amend section 63 of an act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852.....	210	Niles.....	236, 297, 705.....	707
✓ 122	A bill to amend an act entitled "an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof," approved March 5, 1850.....	210	Kinley.....	490, 491	
✓ 123	A bill regulating the practice of Dentistry in the State of Indiana.....	213	Hanna	253, 253, 573	
✓ 124	A bill to provide for the burying of dead animals, and prescribing punishment for violation thereof.....	218	Cullen .....	.....
✓ 125	A bill creating the — Judicial Circuit and providing for the appointment and election of Judge and Prosecuting Attorney therefor, and the time of holding Court in the several counties therein.....	218	Taggart.....	.....
✓ 126	A bill to declare abandoned certain unfinished railroads, and to provide for their completion, to declare forfeited the franchises of certain railroad companies, and for the assessment of the value thereof; for the organization of new companies, and for making annual statements.....	218	Barker.....	454, 455, 518, 549, 995.....	549
✓ 127	A bill proposing an amendment to the Constitution of the State, providing for the submission of the same to a vote of the electors of this State at the October election for the year 1867, and authorizing the Governor to issue his proclamation upon the ratification of said amendment, declaring the same to be adopted and a part of the Constitution.....	219	Cason	570, 601, 752, 753, 754.....	955
✓ 128	A bill to amend an act entitled "an act regulating foreign Insurance Companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act,".....	219	Reynolds.....	458.....	
✓ 129	A bill to amend section twenty-eight of an act entitled "an act defining felonies and prescribing punishment therefor," approved June 10, 1852.....	219	Rice	614, 707.....	1003
✓ 130	A bill to amend an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms, in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the ad-				

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings Thereon.	Passed Senate.	Passed House.	Speaker Signed.	Governor Signed.
130	administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved March 18, 1862.....	219	Oyler	322, 323, 386, 719, 908.....	720			
131	A bill to amend the first section of an act entitled "an act prohibiting Sureties, Clerks or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recordors and their Deputies, from practicing law in any of the courts of this State except as in this act permitted, and prescribing punishment for the violation thereof," approved March 6, 1865.....	229	Sherrod	491.....				
132	A bill to amend section seven hundred and eighty-four of an act entitled "an act to revise, simplify and abridge, the rules, practice, pleadings and forms, in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,"	226	Stein	298, 730	720			
133	A bill to provide for, and authorizing the completion of records of the transfer of real estate, and empowering incorporated towns to regulate and license the sale of spirituous, vinous, malt and intoxicating liquors within their corporate limits and prescribing penalties for the violation thereof.....	263	Carson.....	573, 789				
134	A bill vacating portions of highways in certain cases.....	253	Mulligan	423.....				
135	A bill to amend section three, and repeal section eighteen of an act entitled "an act to allow County Commissioners to organize turnpike companies, when three-fifths of the persons representing the real estate within prescribed circuits, petition for the same, and to levy a tax for its construction and provide for the same to be free," approved March 6, 1865.....	263	Oyler	372.....				
136	A bill to amend section thirty-three of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms, in civil actions in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."	263	Rice	598.....				
137	A bill entitled "a bill to amend section two of an act to discourage the keeping of molasses and sheep-killing dogs, and to provide penalties for the violation of any of the provisions of said act by officers and others, and also repending an act to license dogs, approved March 11, 1861, and providing	263	Mason	366.....				
138		263	Bonham	491.....				

139	that nothing in this act shall be so construed as to conflict with the provision of an act for the protection of sheep," approved June 15, 1865.....	354	Mason	360, 671	721	900	1002
140	A bill to carry into effect the benefits of an act of Congress, approved July 6, 1862, entitled "an act donating public lands to the several States and Territories which may provide Colleges for the benefit of agriculture and the mechanic arts, and to establish and locate a College for the promotion of general science and the teaching of such branches of learning as are related to agriculture and the mechanic arts, and military tactics and for the acceptance of donations for the benefit of such College,"	254	Stein	372, 373, 374, 441 to 446, 678, 680, 617, 642, 658, 659, 701, 702, 703, 424, 425, 534, 720, 904			
141	A bill authorizing Insurance Companies to re-insure their risks and close up their business.....	254	Kinsley	457, 545, 615, 653, 694, 698, 721			
142	A bill to define the crime of drunkenness, and to provide penalties therefor and matters properly connected therewith.....	294	Mulligan	464, 545, 649, 671, 685, 712, 713, 714			
143	A bill to provide for the payment of certain moneys due from the State to the firm of Morehead, Hall & Co., and H. Wright and Jacob Barons	254	Stein	543, 546, 550	547	908	963
144	A bill to amend an act entitled "an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological and Missionary Boards," approved February 28, 1865.....	294	Thompson	353, 386, 422, 691			
145	A bill to provide for impartially impounding juries in certain cases.....	291	Robbison	726, 903, 904			
146	A bill to amend section one of an act entitled "an act to provide a State Debt Sinking Fund for the payment of the principal and interest of the five and two and one-half per cent. stocks of the State therein named, and giving priority of payment to the holders of the two and one-half per cent stocks of the State of Indiana, prescribing the duties of the Auditor, Treasurer and Agent of State in relation thereto, providing for a Clerk of said State Debt Sinking Fund and fixing his salary and providing a penalty for the violation of its provisions, abolishing the Board of Sinking Fund Commissioners, and all officers connected therewith, and the office of Agent of State in the City of New York, to invest the moneys belonging to the Sinking Fund in the stocks of the State, transferring the business of said Board of Sinking Fund Commissioners to the Auditor and Treasurer of State, providing that the tax therein levied shall be taken and considered as part of the tax levied under an act entitled "an act to raise revenue for State purposes for the year one thousand eight hundred and sixty-five, and one thousand eight hundred and sixty-six," approved March 20, 1865, and declaring an emergency for the immediate taking effect of this act, approved December 21, 1865.....	291	Carnson	912			
147	A bill to amend section one of an act entitled "an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.....	292	Carnson				
148	A bill to amend the fifth clause of subdivision of section seven, repealing the seventh clause, and to amend section eleven of an act regulating the granting divorces, nullification of marriages and decrees, and orders of court incident thereto, approved May 15th, 1862, and to amend section one and two of an act entitled an act to amend the sixth section, and the third clause of the seventh section, and the twelfth, fourteenth, nineteenth and						

BILLS OF THE SENATE—Continued.

1066

Number.	TITLES.	Introduced.	By what Senator.	Proceedings Thereon.	Passed Senate.	Passed House.	Speaker Signed.	Governor Signed.
✓148	twentieth sections, entitled an act regulating the granting of divorces, nullification of marriages and decrees, and orders of court incident thereto, and to provide for opening up decrees of divorce in certain cases, approved May 13th, 1852, approved March 4th, 1859.....	292	Church	370, 386, 459, 460, 722, 723, 724.....	746			
✓149	A bill to amend the charter of the Grapevine Plank Road Company.....	292	Reynolds.....	425, 545, 746.....				
✓150	A bill to amend the second section of "an act for the incorporation of manufacturing and mining companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any companies which may have been, or shall be, incorporated in this State, for any of the purposes contemplated in said act, with a limitation of the amount or location of its real estate, may take, hold and convey any amount of real estate, which may be necessary to carry on the operations of such company, whether such real estate be situate in this State or elsewhere.....	292	Cason.....	319, 758	758			
✓151	A bill to amend section fourteen of an act entitled "an act concerning promissory notes and bills of exchange," approved May 12, 1852	293	Cravens.....	492.....				
✓152	A bill amending an act touching the relation of guardian and ward, and regulating suits on bonds of guardians removing from the State.....	293	Turner	545, 962	546	936	965	1000
✓153	A bill to legalize and make valid certain county bonds, and to provide for the payment of the same.....	293	Robinson	492, 493, 549, 910, 911, 994.....	550	910	998	1003
✓154	A bill to provide for the incorporation of religious societies, and defining their powers.....	293	Wolcott.....	530, 603, 708, 709, 710.....				
✓155	A bill to revive and amend the sixth section of an act entitled "an act granting to the citizens of the town of Evansville, in the county of Vanderburg, a city charter," approved January 27, 1847.....	326	Jaquess	544, 602, 743, 744, 754, 759, 996.....	760	937	998	1001
✓156	A bill to regulate the salaries of Clerks of the Circuit Court, County Auditors, County Recorders, and Sheriffs, and to provide for the payment of their fees into the county treasuries of the State, and providing for their deputies and their salaries and appointment.....	327	Richmond.....	683, 738, 759				
✓157	A bill regulating the filing of petitions of complaints in Commissioners Courts	327	Bellamy	306, 453				
✓158	A bill creating, establishing and providing for the management and maintenance of four colleges of agriculture and mechanic arts, to be located at Indianapolis, Crawfordsville, Greencastle and Bloomington.....	327	Reagan	562, 570, 580	344			
	A bill concerning the Supreme Court.....	327	Niles	333, 341				

✓-159	A bill providing for the appointment of a night watchman for the State House, to fix the salary of the same, and declaring an emergency.....	333	Houghton.....	400, 700.....	760
✓-160	A bill to prevent persons who have been, or may hereafter be enrolled, mustered, or drafted, in the military, naval or marine service of the United States, or of the State of Indiana, and who have deserted, or shall hereafter desert the same, from exercising the elective franchise at any general or special election held in said State, and forever disfranchising such persons, and prescribing what evidence shall be prima facie in such cases under this act, and under the twenty-first section of the act of Congress, entitled "an act to amend the several acts in force heretofore passed; to provide for the enrolling and calling out of the national forces, and for other purposes," approved March 3, 1865.....	364	.....	389, 401, 706, 707.....	861
✓-161	A bill to establish a house of refuge for the correction and reformation of juvenile offenders.....	372	.....	452, 408, 470, 486, 805, 806, 807, 853.....	860
✓-162	A bill to establish a college for such branches of knowledge as are connected with agriculture and the mechanic arts, and to carry out the objects of the act of Congress in making donations of land for such purposes.....	381	Thompson.....	751.....	486
✓-163	A bill to amend section 157 of "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed.....	381	Cravens.....	.....	.....
✓-164	A bill to provide for the removal from office, by death, resignation, or inability, of both Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith.....	381	Cravens.....	525, 995.....	998
✓-165	A bill to amend an act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto, approved December 21, 1858.....	381	Reagan.....	393, 549, 650, 655.....	937
✓-166	A bill to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State.....	382	Stein.....	412, 413, 434 to 440, 563, 564, 597... ..	624
✓-167	A bill to prohibit selling and buying intoxicating liquors to be used as a beverage, and prescribing penalties for violations thereof.....	382	Ward.....	637, 638, 639, 640.....	634
✓-168	A bill to provide for the prosecution of larceny in certain cases.....	382	Taggart.....	393, 552, 761.....	.....
✓-169	A bill to provide for the official visitations and inspections of the prisons and benevolent institutions of the State.....	382	Reagan.....	471, 550, 760.....	761
✓-170	A bill to amend section seventy of an act entitled "an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers, and duties in civil cases," approved June 9, 1852.....	382	Huffman.....	611, 738, 761.....	.....
✓-171	A bill fixing the duration of the terms of the Circuit Court, in the county of Warren, and repealing all laws in conflict with its provisions.....	382	Wolcott.....	426, 551, 762.....	762
✓-172	A bill to amend section one of an act entitled "an act concerning enclosures, trespassing animals, and partition fences, approved June 4, 1852.....	383	Wolcott.....	882.....	.....
✓-173	A bill to repeal an act entitled "an act providing for the election, and prescribing certain duties of County Surveyors," approved June 17, 1852, and to provide for the election of County Surveyors, prescribing their powers and duties, and the manner of performing the same.....	383	Stein.....	.....	.....
✓-174	A bill for the relief of Peter Wells and Bennoni Wells.....	383	Hucy.....	426, 500, 678.....	679

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings Thereon.	Passed Senate.	Passed House.	Speaker Signed.	Governor Signed.
✓ 175	A bill for the incorporation of companies; for the purpose of erecting and maintaining buildings to be used and occupied in whole, or in part for Masonic meeting purposes, or in any way for the accommodation or convenience of Masonic bodies, or Lodges.....	383	Richmond	527, 551, 996.....	652	965	998	1001
✓ 176	A bill requiring railroad companies to erect signs or notices at all highway crossings, and providing penalties for neglect thereof.....	383	Stein.....	424, 552, 762.....	763			
✓ 177	A bill to amend section eight of an act entitled an act to amend the act entitled "an act authorizing the construction of plank, macadamized and gravel roads, and to empower the same to make sale of a portion of their roads....."	383	Richmond.....	575, 602, 763.....				
✓ 178	A bill to regulate the assessment and collection of taxes, on the capital stock owned in banks and banking associations doing business in the State of Indiana.....	383	Hanna	457, 553, 763, 764, 765	766			
✓ 179	A bill authorizing Clerks of the Circuit and Common Pleas Courts to try and determine suits in habeas corpus, issue writs of injunction and temporary restraining orders, and defining additional duties thereof.....	383	Hanna	571.....				
✓ 180	A bill to amend the 13th section of an act for the government of the Insane Hospital for the Insane, and the care of the Insane of Indiana.....	399	Hanna.. ..	472, 552, 766.....	767			
✓ 181	A bill to amend section 27 of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named; and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.....	399	Huffman	543, 620	620			
✓ 182	A bill to amend section eleven of an act entitled "an act to provide compensation to the owners of animals killed or injured by the cars, locomotives, or other carriages of any railroad company in the State," approved March 1, 1853, repealing all laws in conflict therewith, and declaring an emergency.....	412	Cumback.....	454, 504, 554, 695				
✓ 183	A bill to legalize railroad consolidations, and declaring laws of such consolidation.....	415	Cravens	576, 601, 621, 626, 627, 641, 767, 804, 992				
✓ 184	A bill for the relief of Lewis and Echelberger, Dare and Johnson, Peter Hollorell and Abraham Briggs.....	427	Cullen	553, 645, 831, 832, 892.....				
✓ 185	A bill to authorize Judges in Circuit Courts, and Courts of Common Pleas, to appoint receivers in vacation, and to make all orders in relation thereto;							

✓ 186	to authorize such judges to modify and dissolve injunctions, and to allow appeals therefrom, the same as if made by the court in session, and to provide that an appeal from an injunction order shall not operate as a supersedeas.....	428	Niles.....	493, 552, 767.....	708
✓ 187	A bill supplemental to an act providing for the settlement of decedents' estates, prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement.....	428	Cason.....	569, 768.....	768
✓ 188	A bill to provide for the keeping of a county paper record, and defining the duties of certain officers in relation thereto.....	428	Bellamy.....	683, 738, 769.....	769
✓ 189	A bill to amend the second paragraph of the sixth section of an act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto, approved December 21, 1858.....	428	Huffman.....	575.....	
✓ 190	A bill to amend an act entitled "an act to provide for the collection and assessment of the real and personal property, and the collection of taxes of in the State of Indiana; for the election of Township Assessors, Appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State, and for the repeal of section one hundred and ninety-eight of said act," approved June 21, 1852.....	467	Cullen.....	714, 715, 716, 743.....	
✓ 191	A bill providing the amount of fees to be allowed County Treasurers for the collection of delinquent taxes, and declaring an emergency.....	467	Noyes.....	568, 769.....	769
✓ 192	A bill supplemental to an act entitled "an act for the incorporation of manufacturing and mining companies for mechanical, chemical and building purposes," approved May 20, 1852.....	468	Thompson.....	529, 552, 577, 844.....	577
✓ 193	A bill to amend section eleven of an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855.....	469	Bellamy.....	496, 520, 521, 770.....	
✓ 194	A bill to amend section twenty-eight of an act entitled an act defining felonies, and prescribing punishment therefor, approved June 10, 1852.....	469	Armstrong.....	612.....	
✓ 195	A bill to amend an act entitled an act providing for the settlement of decedents' estates, prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement.....	469	Houghton.....	464.....	
✓ 196	A bill to cure defective or illegal bonds of executors and administrators, and their securities.....	472	Robinson.....	614, 738, 770, 904.....	998
✓ 197	A bill authorizing the appointment of three commissioners to inquire into the condition of the finances of the State, and matters pertaining thereto; defining the powers and duties of such commissioners and State officers in relation thereto, and appertaining to the Legislative, Executive and Judicial Departments of the Government of the State, State officers, and the management and disbursement of the various funds of the State, and matters properly pertaining thereto.....	473	Carson.....	573.....	
✓ 198	A bill supplemental to an act regulating descents, and the apportionment of estates, approved May 14, 1852.....	480	Cullen.....	912.....	
	A bill to amend sections twenty-five and eighty-eight of an act entitled "an act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852, and to provide for jurisdiction and for collection of certain taxes in the territories aforesaid.....	481	Cullen.....	590, 603, 771.....	722

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BILLS OF THE SENATE—Continued.

1070

Number.	TITLES.	Introduced.	By what Senator.	Proceedings Thereon.	Passed Senate.	Passed House.	Speaker Signed.	Governor Signed.
199	A bill to amend an act entitled "an act declaratory of the law regulating marriage, and enforcing the provisions thereof by proper penalties....."	481	Jaquess	610.....				
200	A bill to legalize the action of Thomas B. McCarthy, Auditor of State, in settling and saving to the State of Indiana \$2,262.08, occasioned by the defalcation of the Treasurer of Pulaski county, on account of the Swamp Land Fund, and authorizing him to dispose of certain lands acquired thereby for the benefit of the State.....	496	Bonham	568, 602, 772, 804.....	805			
201	A bill authorizing the sale of a tract of land in the city of Evansville, the title whereof is vested in the State of Indiana, and providing for a conveyance from the State to the purchaser thereof.....	496	Jaquess	628, 647, 648.....	648			
202	A bill for the relief of Lucius H. Scott, John Law, William H. Lane and John A. Reitz.....	496	Hanna	627.....				
203	A bill extending the time for holding the Common Pleas Court in the county of Fulton, and repealing all laws inconsistent therewith.....	496	Terry	502, 553, 621, 995.....	621	965	998	1002
204	A bill to amend section 104 of an act entitled "an act to amend sections 78, 79, 94, 95, 104, 142 and 143 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors and prescribing the duties of Assessors, Appraisers of Real Property, County Auditors and Treasurers and of the Treasurer and Auditor of State," approved June 21, 1852, and to repeal an act entitled "an act to amend the 143d section of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors and Appraisers of Real Property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1851, approved March 4, 1859, approved May 31, 1861....."	497	Johnson	728.....				
205	An act to amend section 132 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity;".....	497	Rice	611.....				
206	A bill creating the Twenty-Second Common Pleas District, and making provisions therefor, and repealing all conflicting laws.....	497	Stein	502, 548, 956, 957, 996.....	548	956	998	1004

207	A bill requiring certain officers of the State to make reports, and providing for the publication thereof.....	497	Wolcott.....	613, 739, 773	773
208	A bill to amend an act entitled "an act defining misdemeanors and prescribing punishment therefor," approved June 14, 1832, approved February 19, 1837.....	503	Niles.....		
209	A bill to authorize Clerks of the Circuit Courts and Courts of Common Pleas to grant injunctions, and to issue writs of <i>habeas corpus</i> , and to hear and try the same, and to provide for the trial thereof before the Judge, and to authorize appeal from such injunction orders.....	503	Niles.....	571	
210	A bill to amend the second section of an act entitled an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof, approved March 5, 1839; providing for appeals in the case of persons applying for license to sell intoxicating liquors, and for those remonstrating against such applications under the provisions thereof, and to make a trial by jury in suits in relation thereto final, and authorizing appeals to the Supreme Court.....	503	Bennett.....	570, 773	
211	A bill to amend an act entitled "an act to amend section 352 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852; approved March 9, 1861.....	503	Stein.....	614, 739, 774	774
212	A bill to regulate the arrest and surrender of fugitives from justice in other States and Territories.....	215	Niles.....	516, 962	516
213	A bill concerning the punishment of women and girls convicted of crimes, misdemeanors and violations of any city ordinances.....	535	Niles.....	555, 953, 994	556
214	A bill authorizing cities to prepare, execute, negotiate and sell bonds; to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax to provide means for the payment of the interest and principal of such bonds, and declaring an emergency.....	559	Noyes.....	560, 919, 920, 921, 996	560
215	A bill to prevent the spread of the disease commonly called hog cholera, and other diseases among domestic animals.....	561	Bowman.....	682, 774, 957, 958, 994	560
216	A bill to regulate the practice of dentistry in the State of Indiana.....	573	Niles.....	602, 775, 776	775
217	A bill to encourage the republication of dentistry in the State of Indiana.....	573	Niles.....	600, 775, 808, 809	
218	A bill directing the State and County officers to receive certain certificates in payment as money.....	586	Richmond.....	652, 696	696
219	A bill for the relief of Alfred Williams, Treasurer of Brown county, in the State of Indiana.....	587	Taggart.....	684	
220	A bill to amend an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, Appraisers of Real Property, County Treasurers and Auditors, and of the Treasurer and Auditor of State,".....	587	Jaquess.....	214, 739, 783, 784, 797, 798	{ 797 798
221	A bill to provide for the registration of births, marriages and deaths.....	615	Robinson.....	783	
222	A bill to allow persons charged with crime to testify in any of the Courts of this State.....	615	Cullen.....	792	

BILLS OF THE SENATE—Continued.

1072

Number.	TITLES.	Introduced.	By what Senator.	Proceedings Thereon.	Passed Senate.	Passed House.	Speaker Signed.	Governor Signed.
223	A bill to amend the first section of an act entitled an act to amend the fortieth clause of section thirty of an act entitled "an act granting the citizens of the town of Evansville, in the county of Vanderburg, a city charter," approved January 27, 1827, and declaratory of the meaning of the second section of the same act, approved December 21, 1865, so as to authorize the Common Council of said city of Evansville to subscribe for and take stock in the Evansville, Henderson and Nashville Railroad Company, or any other company or corporation organized under and by virtue of the Commonwealth of Kentucky, for the purpose of constructing a railroad leading from Nashville, in the State of Tennessee, to a point on the Ohio river, at or near Evansville, Indiana.....	617	Jaquess	618, 994.....	618	.....	966	1003
224	A bill to amend section sixteen of an act entitled "an act for the government of the Indiana Hospital for the Insane and for the insane of Indiana," approved January 15, 1852.....	615	Bellamy	782, 780, 798, 799 .....	.....	.....	.....	.....
225	A bill to amend an act entitled "an act regulating foreign Insurance Companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of this act," approved December 21, 1855.....	630	Oyler	681, 740, 776.....	.....	.....	.....	.....
226	A bill to amend the twenty-eighth section of an act entitled "an act to incorporate the Vevay, Mount Sterling and Versailles Turnpike Road Company," approved January 15, 1850.....	630	Bellamy	682, 740, 777, 812, 823.....	824	.....	.....	.....
227	A bill to consolidate certain bonds, stocks and accounts of the School Fund into one non-negotiable bond, and making other provisions in relation thereto.....	640	Wolcott.....	683, 685, 771.....	686	771	.....	{ 794 830
228	A bill to regulate the measurement of work done by plasterers, joiners, carpenters, brick layers, stone layers, and painters, and declaring an emergency.....	649	Hanna	697, 698.....	.....	.....	.....	.....
229	A bill concerning the duties of common carriers.....	672	Richmond.....	726, 740, 877.....	.....	.....	.....	.....
230	A bill to repeal an act entitled "an act to authorize railroad companies to occupy and use, for railroad purposes, the property of canal companies, with their consent, and to secure them in such occupation and use, and for the protection of the hydraulic powers of each canal, and to authorize the lessees of the water privileges in said canal, to organize a company or companies for the maintenance thereof, in case of the failure of said canal companies to maintain the same," approved November 16, 1863.....	672	Cason	816, 832, 893.....	.....	.....	.....	.....

231	A bill to save pending suits affected by the passage of an act entitled "an act to repeal sections forty-three and forty-four of an act entitled 'an act prescribing what persons shall be deemed to have acquired a residence in any township, city or ward, in this State, so as to entitle him to vote therein.' approved May 31, 1852, approved December 21, 1855....."	672	Rice	801, 802, 821	822				
232	A bill regulating the running at large of swine within this State, and affixing penalties for violating the same, and declaring an emergency.....	685	Reagan	783.....					
233	A bill to appropriate sums of money to the Antietam National Cemetery and to the National Cemetery at Gettysburg.....	685	Reynolds	727, 757	758				
234	A bill legalizing the appointment of guardians for persons of unsound mind.....	685	Reynolds	849.....					
235	A bill supplemental to an act entitled an act to provide for the valuation and collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors and Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State, approved June 21, 1852.....	716	.....	.....	717				
236	A bill fixing the time of holding the courts in the 10th Judicial Circuit, changing the length of the terms in some of the counties thereof, and prescribing that in other respects existing regulations shall apply thereto.....	725	Carson	750, 796, 995	797	998	1004		
237	A bill creating the 19th, 20th, and 21st Judicial Circuits, and providing compensation therefor, declaring their jurisdiction and providing for a transfer of actions thereto.....	725	Carson	749, 794, 799, 800, 904.....	800	965	1002		
238	A bill to amend and repeal an act entitled "an act to provide for the sale of certain lands belonging to the State of Indiana, in the counties of Jasper and Newton, and to give pre-emption to actual settlers therein," approved Dec. 12, 1865, and for the relief of John P. Dunn, former Auditor of State.....	729	Oyler	792.....					
239	A bill to amend the title of an act entitled "an act making general appropriations for the year 1866, repealing certain sections of an act therein named, and declaring an emergency....."	729	Bouham .....	.....				
240	A bill fixing the time of holding the Circuit Court in the 1st Judicial Circuit, and repealing all laws in conflict therewith, and making all writs, summons and process returnable thereto, approved March 7, 1861.....	730	Taggart.....	750, 751, 779, 893.....	893				
241	A bill to authorize the Directors of the State Prison at Jeffersonville, to contract the convict labor of said prison, and prescribing the terms and conditions of the contract.....	742	Wolcott	866, 867, 868, 914	915				
242	A bill to amend section five of an act to amend an act for incorporating the Wash Manual Labor College and Teacher's Seminary, approved Feb. 8, 1851.....	746	Milligan	780, 796, 994.....	796	998	1002		
243	A bill to Authorize the Governor, Auditor, Treasurer and Secretary of State, to contract the labor of the State Prisons of Indiana, and prescribing terms and conditions in reference thereto.....	755	Richmond	868, 895.....					
244	A bill creating the 23d Common Pleas District, and making provisions therefor, and repealing all conflicting laws.....	777	Armstrong	790, 957.....	791	957	1003		
245	A bill to repeal section 131 of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their powers and duties, and matters properly connected therewith, providing penalties therein prescribed, approved March 6, 1865....."	777	Bellamy	778, 962.....	778	937	964		
246	A bill to fix the times of holding terms of Circuit Courts in the 11th Judicial Circuit	842	Armstrong.....	958, 994.....	843	958	1003		
247	A bill declaring what persons shall be deemed to have acquired a residence in any township, city or ward, in this State, so as to entitle him to vote therein.....	927	Bennett	927, 928.....	928				

HOUSE BILLS RECEIVED IN SENATE IN REGULAR SESSION, 1867.

1074

Number.	TITLE.	Reported from House.	Proceedings thereon.	Passed Senate.			Speaker Signed.
				Passed House.	Passed Senate.	Passed House.	
42	A bill to prevent the breaking of a quorum in the General Assembly, and prescribing punishment therefor.....	108	123, 200, 333 to 336	108	336	108	342
3	A bill to fix the times of holding the Courts of Common Pleas in the Eighth Judicial District in the State of Indiana, and repealing former laws on the subject, and declaring an emergency.....	109	.....	109	.....	109	131
2	A bill to amend an act entitled an act to incorporate the Preachers' Aid Society, approved February 12, 1861.....	120	148, 243, 398, 399, 536	120	537	120	560
4	A bill to amend section 20 of the act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855.....	121	148, 493, 603, 925, 926.....	121	.....	121	965
18	A bill to amend section No. 15, and to repeal sections Nos. 29 and 30 of an act regulating general elections, and prescribing duties of the officers in relation thereto, approved June 7, 1852, and prescribing further duties of the officers.....	121	148, 149, 352, 603, 925.....	121	927	121	907
8	A bill to amend the ninety-ninth section of an act entitled "an act to revise, simplify, and abridge the rules, practice, and pleadings, and forms, in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	200	211, 223, 401, 679, 736.....	200	680	200	747
11	A bill amending section 10 of "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.....	232	330, 367.....	232	.....	232	.....
17	An act in relation to conveyances of land by persons of unsound mind.....	265	330, 496, 604, 926	265	926	265	965
39	A bill to equalize and declare valid and effectual all the orders, judgments and other proceedings made, rendered, and had by and before the Common Pleas Court of Clinton county, in this State, held in the Court House of said county, in the months of October and November, in the year one thousand eight hundred and sixty-five, and then and there, by and before the several Judges of the said Court.....	265	330, 354, 604, 929	265	929	265	998
93	A bill forbidding the locking of railroad cars in certain cases, and providing punishment therefor.....	266	333, 425, 605, 617, 933.....	266	934	266	997
24	A bill to amend the ninth section of an act for the election of Clerks of the Circuit Court, and prescribing some of their duties, approved June 7, 1852, to require the Clerk to deliver over all the books, papers and records in his hands to his successor.....	266	330, 365.....	266	.....	266	.....
40	A bill to amend an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	266	330, 354, 604, 930	266	930	266	965
72	A bill to amend on act entitled "an act to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each						

53	of said prisons, directing what counties shall send their convicts to the Northern State Prison, and providing for carrying on the work in building said Northern State Prison, and making appropriations for the support of said prison.	329	604, 931.....	932	265	997
100	A bill fixing the time of holding the Common Pleas Court in the county of Grant.	273	331, 364, 604, 619.....	620	273	681
101	A bill to raise revenue for the years 1867 and 1868.	329	343, 344, 504.....	504	504	557
12	A bill to constitute the Fourteenth Judicial Circuit of Indiana, to fix the time of holding the Courts in said Circuit, and to repeal all laws in conflict therewith.	332	362, 378, 414, 527.....	528	332	557
49	A bill creating the Seventeenth Judicial Circuit, and fixing the times of holding Courts therein.	333	377.....	378	333	395
83	A bill to provide for the protection of wild game, and defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, and repealing all laws inconsistent herewith, and declaring an emergency.	342	378, 423, 424, 605, 933.....	933	342	998
203	A bill fixing the time of holding the Courts of Common Pleas in the Fifth Judicial District, repealing all other laws on the same subject, and declaring when this act shall take effect.	376	376.....	367	376	399
144	A bill to prevent the spread of disease among sheep.	385	385, 425, 426, 605, 939.....	940	385	965
175	A bill to amend an act entitled "an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.	385	385, 574.....	575	385	624
185	A bill to amend the forty-fifth section of an act entitled "an act to provide for the opening, vacating and change of highways," approved June 17, 1832.	385	385, 422, 606, 742.....	743	385	756
189	A bill requiring all persons who plat towns, or additions to any town or city in this State, to have the lands embraced in such addition or plats transferred for taxation by the Auditor of the county, and providing for taxing the same.	385	385, 576, 606, 945.....	945	385	998
54	A bill concerning the organization and perpetuity of voluntary associations, and repealing an act entitled "an act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 12, 1855, and repealing each act repealed by said act, and authorizing gifts or devices by will, to be made to any corporation or purpose contemplated by this act.	493	500.....	501	498	557
181	A bill to amend an act entitled "an act approved March 11, 1861, being to amend an act entitled 'an act authorizing county agricultural societies to purchase and hold real estate,' approved February 7, 1855, and to authorize such societies to issue capital stock, and confirm and ratify all purchases of real estate made by any agricultural and mechanical society under their by-laws, not exceeding eighty acres of land.	501	501.....	502	501	557
241	A bill districting the State for judicial circuits, and providing that Judges and Prosecuting Attorneys of the circuits in which the county where they reside is situated under this act, and providing for filling vacancies in said offices.	505	507, 533, 534, 620, 643, 644, 646, 803.....	803	505	
96	A bill authorizing the Board of Trustees of incorporated towns to establish fire limits, and to prevent the erection of wooden buildings within such limits.	505	507, 605, 680.....	680	505	710
148	A bill to amend the first section of an act entitled "an act for the protection of sidewalks in towns and villages, and for the preservation of shade trees planted along the same," approved March 3, 1859, so as to protect sidewalks outside of towns and villages.	505	508, 578, 885.....	886	505	897
48	A bill in relation to the change of public highways.	505	507, 869, 945.....	946	505	968
99	A bill to empower the Board of County Commissioners of the several counties of this State to convey cemeteries to incorporated towns and cities.	505	508, 575, 603, 689, 735.....	689	506	711, 714
101	A bill to amend the act entitled "an act to amend the act empowering the same to make sale of a portion of plank, macadamized and gravel roads, and to empower the same to authorize the construction of their roads," approved February 28, 1855.	506	508, 577, 601, 914.....	914	506	997
91	A bill vacating portions of highways located on county lines, in cases therein specified.	506	508, 572, 605, 925.....	925	506	965
63	A bill to amend section eleven of an act entitled an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1832.	506	507, 569, 931.....	931	506	997

HOUSE BILLS—Continued.

1076

Number.	TITLE.	Reported from House.	Proceedings thereon.	Passed Senate.	Passed House.	Speaker Signed.
107	A bill to amend section twenty-one of an act entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.....	506	508, 570, 935.....	935	506	965
181	A bill to amend an act entitled "an act approved March 11, 1861, being an act to amend an act entitled an act authorizing county agricultural societies to purchase and hold real estate," approved February 7, 1855, and to authorize such societies to issue capital stock, and to confirm and ratify all purchases of real estate made by any agricultural and mechanical society under their by-laws, not exceeding eighty acres of land, and to extend the benefits of said act to horticultural societies.....	506	.....	.....	506	.....
158	A bill in relation to the compounding and concealing of crimes, and the compounding of prosecutions, prescribing punishment therefor.....	506	508, 606, 944.....	944	506	988
77	A bill to increase the salaries of the Prosecuting Attorneys of the Criminal Circuit Courts, and providing for the payment of the increase out of the proper county treasuries.....	506	508, 623, 680, 636.....	681	503	747
177	A bill to amend the third section of an act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights, and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified," approved December 20, 1865.....	507	109, 544, 606.....	.....	507	.....
293	A bill to fix the time of holding the Circuit Courts in the Fifth Judicial Circuit, prescribing the length of the terms thereof, and repealing all laws in conflict herewith.....	517	517.....	518	517	557
89	A bill to provide for the construction of sewers within incorporated towns, defining the powers and duties of Town Trustees in relation thereto, and to repeal all laws in conflict herewith.....	530	600, 629, 869, 946.....	947	530	998
159	A bill to amend sections six hundred and forty-nine and six hundred and fifty of the practice act.	531	600, 612, 790, 844, 914.....	945	531	998
272	A bill to create the 22d district of the Court of Common Pleas of Indiana; to fix the time of holding the Courts in said district, and to repeal all laws in conflict therewith.....	531	567.....	568	531	624
113	A bill to create the Eighteenth Judicial Circuit of the State of Indiana.....	531	599, 625, 653, 655, 666, 607, 688.....	688	531	710
23	A bill to enable owners of wet lands to drain and reclaim the same where the same cannot be done without affecting the lands of others, prescribing the powers and duties of County Boards and County Auditors in the premises, and repealing all laws inconsistent therewith.....	531	599, 623, 869, 928.....	929	531	.....
130	A bill to amend section twenty-eight of an act entitled "an act defining felonies, and prescribing punishment therefor," approved June 10, 1852.....	533	606, 633, 935.....	935	533	998
142	A bill authorizing the Board of Directors of street railway companies to raise funds to discharge the indebtedness of such companies by making a pro rata assessment against stockholders; to make needful rules in relation thereto; to issue preferred stock in certain cases, and in relation to the individual liability of stockholders.....	616	630.....	.....	616	681
240	A bill to provide for the inspection of coal oil, petroleum oil, and mixtures of coal and petroleum					

145	olls, and prescribing penalties for the violation thereof, and providing jurisdiction for the enforcement of penalties.....	632	728, 729, 832, 945	946	632
	A bill to amend the seventh clause of section twenty-two of an act entitled "an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852.....	642	869, 947	947	642
278	A bill to amend the fourth paragraph of section first of an act entitled "an act fixing the time of holding Circuit Courts in the several counties of this State," approved June 18, 1852.....	686	887, 922.....	922, 687	686
316	A bill to protect and indemnify officers and soldiers of the United States, and in the military service of the State of Indiana, etc., etc.....	730	749, 820	821	730
211	A bill authorizing hydraulic companies to appropriate lands to their use upon paying the assessed value thereof, and providing for such assessment.....	730	786, 884, 915.....	915	730
133	A bill to amend the thirty-eighth section of an act entitled "an act providing for the election and qualification of Justices of the Peace....."	731	785, 882.....	.....	731
15	A bill to carry out the provisions of an act entitled "an act to create the State Normal School," etc., etc.....	731	781, 802, 803, 822	823	731
337	A bill to fix the time of holding the Circuit Court in the county of Kosciusko, of the Fourteenth Judicial Circuit.....	731	883, 884, 930.....	930	731
223	A bill regulating charges for transportation of freight by the various railroad corporations doing business in the State of Indiana	731	785, 885, 950.....	950	731
286	A bill providing for the erection of a suitable building for the use of the Supreme Court and State officers; for borrowing money from the sinking fund therefor, and securing the re-payment of the same; making certain regulations touching the law library, and authorizing the Judges of the Supreme Court to rent rooms for their accommodation, until such building is completed.....	732	780, 781, 845, 847, 891.....	848	732
21	A bill to amend the sixteenth section of an act regulating the fees of officers, and repealing former acts in relation thereto.....	732	734, 784.....	.....	732
81	A bill regulating the employment of persons under sixteen years of age in the cotton and woolen factories of this State.....	732	734, 782, 783, 632	933	732
191	A bill to amend section six hundred and fifty of article thirty-six of an act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in civil cases, in the Courts of this State; to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.....	732	734, 791, 870, 948 .....	.....	732
193	A bill amending section five of an act declaratory of the law regulating marriages, and enforcing the provisions thereof by proper penalties, approved March 5, 1852.....	733	789, 884, 948.....	.....	733
219	A bill authorizing the Boards of County Commissioners, in their several counties, to require the Clerk of the Circuit Court to index certain books and dockets, and to provide compensation therefor.....	733	734, 792, 884, 949	950	733
225	A bill to amend section four of an act containing several provisions regarding landlords, tenants, lessors and lessees, approved May 20, 1852.....	733	734, 788, 789, 950	951	733
262	A bill to amend sections two and six of an act entitled "an act to incorporate the Widow's and Orphan's Asylum of Indianapolis....."	733	734, 786, 807, 808	808	733
275	A bill to amend section three of an act entitled "an act to amend sections 78, 79, 94, 104, 142, and 143 of an act entitled an act to provide for the valuation and appraisement of the real and personal property etc., etc....."	733	734, 784, 890, 891, 893, 894.....	894	733
276	A bill to amend section one hundred and twenty-four of an act entitled "an act to provide for the valuation and assessment of real and personal property, and the collection of taxes, etc., etc....."	733	734, 819, 877, 895	895	733
207	A bill to amend sections 406 and 406 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings, and forms, in civil cases, in the Courts of this State," etc., etc.....	733	789, 884, 949.....	949	733

HOUSE BILLS—Continued.

1078

Number.	TITLE.	Proceedings thereon.			
		Reported from House.	Passed Senate.	Passed House.	Speaker Signed.
277	A bill to amend section one of an act to amend sections 133 and 136 of an act entitled "an act to provide for the valuation and assessment of the real and personal property and the collection of taxes," etc., etc.	734	735, 795, 909, 923, 937	734	965
343	A bill to amend sections 109, 110, 111 and 119 of an act entitled "an act to provide for a general system of Common Schools," etc.	735	735, 877, 878, 922.	735	998
319	A bill authorizing the appropriation of money out of the State Treasury for the use of the State University located at Bloomington, Monroe county.	810	841.	810	886
19	A bill to regulate and make uniform the prices charged by railroad companies, for transporting goods, merchandise, and material to and from stations on railroads in this State.	824	825, 850, 859, 930, 931	824	998
243	A bill prescribing the manner in which railroad corporations within this State may be consolidated with railroad corporations within or without this State, prescribing penalties for the violation of this act, and declaring an emergency.	824	825, 848.	824	.....
259	A bill to amend the twenty-seventh section of an act defining felonies, and prescribing punishment therefor.	824	825, 959.	824	.....
69	A bill to amend the second and twenty-third sections of an act entitled "an act for the incorporation of insurance companies."	825	825, 912.	825	.....
212	A bill to repeal a portion of the forty-first section of an act entitled "an act to repeal all general laws now in force for the incorporation of cities," &c., &c.	825	825, 848.	825	.....
287	A bill fixing the salary and terms of office of the Directors of the State Prison North, and repealing all laws conflicting with this act.	825	826	825	.....
290	A bill to amend section twenty-nine of an act entitled "an act defining misdemeanors, and prescribing punishment therefor."	825	825, 959.	825	.....
300	A bill to amend section first of an act entitled "an act to amend section first of an act entitled 'an act to fix the terms of holding the Common Pleas Courts in the several counties of this State.'"	825	826, 834, 885, 951	825	908
14	A bill appointing Commissioners to adjust the claims of citizens of the State of Indiana, for damages sustained by reason of the raid of the rebel forces under command of John Morgan, in July, 1863.	826	827, 937, 940, 941.	826	.....
179	A bill authorizing any person desiring to erect a flouring mill, or other machinery to be propelled by water on his own land, to erect a dam and make a way above his mill or machinery, on or through lands belonging to others.	826	827, 883, 947.	826	998
201	A bill to provide for the protection of wild and harmless birds on or about the premises or inclosures of another, and declaring the penalty for the violation of this act.	826	827, 883.	826	.....
233	A bill to fix the time of holding the Court of Common Pleas in the county of Clinton, and repealing all laws in conflict therewith.	826	827, 993.	826	.....
334	An act to legalize the action of the State Board of Equalization at its session in 1864, and declaring the duty of the Auditor of State in relation thereto.	826	827, 831, 885, 952.	825	998

335	An act to amend section two of an act entitled "an act to provide a treasury system for the State, and for the manner of receiving, holding, and disbursing the public moneys of this State, and for the safe keeping of the public moneys,"	827	827, 877	827	827
348	A bill making general appropriations for the years 1867 and 1868; defining the salaries and official tenure of certain officers; repealing certain laws therein named, and declaring an emergency	827	827, 844, 873, 874, 875	876	998
331	An act requiring the Secretary of State to purchase the paper and other stationery for the public printing of the State; directing the manner of doing the same, and requiring the State Printer to account for all such paper and stationery placed in his hands, and providing compensation to the Secretary of State for his services, and making it the duty of the Attorney General to sue on certain bonds, and for the safe keeping of a specimen copy of each document printed for the State	827	828	827	
301	A bill donating certain real estate to the village of Home City, in the county of Noble and the State of Indiana, to said village, for educational purposes	878	878	878	
105	A bill defining the crime of conspiracy, and prescribing the punishment therefor, and repealing an act entitled "an act defining what shall constitute certain felonies, and fixing the penalties therefor,"	889	.....	.....
350	A bill making specific appropriations for the year one thousand eight hundred and sixty-seven	879	.....	.....	998
340	A bill supplemental to, and declaratory of the meaning of an act passed at the special session of the General Assembly, begun on the 13th day of November, 1865, and entitled "an act to secure a just valuation of taxation of all railroad property within this State, to legalize the valuation, assessment, adjustment and payment of taxes for such property, made subsequent to the year 1859,"	919	915, 916	917	938
341	A bill to provide for the assessment and collection of taxes on the shares of stock owned in banks and banking associations doing business in this State	910	916, 917	918	965

SENATE JOINT RESOLUTIONS IN REGULAR SESSION, 1867.

1080

Number.	TITLES.	Introduced.	By what Senator.	Proceedings Thereon.	Passed Senate.	Passed House.	Signed by Speaker	Sent to Governor.
1	A joint resolution ratifying certain proposed amendments to the Constitution of the United States.....	46	Bennett	57, 77, 78, 79, 92, 96, 97, 98.....	98	151	201	273
2	A joint resolution in relation to a ship canal connecting Lake Erie and Lake Ontario.....	65	Carson.....	89, 190, 556, 779	779			
3	A joint resolution declaring that, in the opinion of the General Assembly, the State of Indiana was, at the time of the arrest of the conspirators, Dodd, Milligan, Bowles and Horsey, in a state of war, the decision of the Supreme Court of the United States to the contrary notwithstanding.....	86	Richmond	112, 610				
4	A joint resolution instructing our Senators and requesting our Representatives in Congress to do all in their power to secure the passage of an act of Congress, authorizing the Secretary of the Treasury to use all the funds now in his possession, or which may hereafter come into his possession, and not otherwise appropriated, in the redemption of the interest bearing portion of the public debt.....	120	Jaquess	148				
5	A joint resolution in regard to destroying certain bank bills and plates in the possession of the Auditor of State.....	262	Wolcott.....	322, 556, 744, 898.....	744		899	1000
6	A joint resolution instructing our Senators in Congress to use their influence to prevent the confirmation of persons nominated to office to fill vacancies occasioned by the removal of persons for political purposes.....	380	Bonham	785.....				
7	A joint resolution for the relief of John T. Morrison, late Treasurer of State.	737	Stein.....					
8	A joint resolution establishing military agencies for collecting bounties, back pay and pensions due soldiers' widows and orphans.....	793	Bennett.....	793	794			
9	A joint resolution relative to an appropriation for improving the harbor at Michigan City.....	819	Reynolds.....	898.....	819	892	899	914
10	A joint resolution on the subject of the imprisonment of the Rev. John Mahan	881	Robinson	996.....	822	995	998	
11	A joint resolution for furnishing the library of Congress with the Statute Laws of this State, and other books and public documents.....	909	Oyler		909			
12	A joint resolution authorizing the Governor, Auditor of State, Treasurer and Secretary of State to hire the prison labor at the State prisons.....	943	Challen					

HOUSE JOINT RESOLUTIONS IN SENATE, REGULAR SESSION, 1867.

1081

TITLE.		When taken up.	Proceedings Thereon.	Passed.	President Signed.	Speaker Signed.
4	A joint resolution for suspending the sale of the Sinking Fund Buildings in the City of Indianapolis, and for the appointment of a committee to examine the same and report upon the propriety of its purchase by the State.....	69	69, 70	70	80	
2	A joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to have the interest-bearing debt of the United States first paid	272	331, 457, 606, 759	960	...	998
11	A joint resolution instructing our Senators, and requesting our Representatives in Congress to secure the passage of a law placing the surviving soldiers of the war of 1812 (who have not received any pension from the Government) upon the pension rolls.....	507	509, 598, 607, 960	960		
18	A joint resolution instructing the Governor to send an agent to the State of Mississippi to secure the protection and release of Daniel Harrison, of Pike county, Indiana.....	561	563.....	563	...	565
10	A joint resolution for the relief of David Stephenson.....	731	731, 782	731		
16	A joint resolution vacating a highway near the Asylum of the Deaf and Dumb, and authorizing the Trustees of said Institution to resume possession of the land over which the same runs.....	734	735, 830	734		
9	A joint resolution declaring that there is now no law in force authorizing the payment of any money out of the State Treasury for the purpose of defraying the expenses of the Indiana Military Agency for soldier's claims, at Indianapolis, Indiana, or the State Military Agency acting in connection therewith at Washington City, District of Columbia, or the salaries of clerks, office rent, or other expenses connected with said agency, &c., &c.....	793	890, 892	793		897
5	A joint resolution directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of free banks, broken and closed, and of such banks as have given notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks.....	888	.....	888		
13	A joint resolution instructing our Senators and requesting our Representatives in Congress, to secure the passage of a law, by which the damage and losses incurred by certain citizens of Indiana by the Morgan raid, be paid.....	888	.....	889	889	897
20	A joint resolution to give prisoners of war extra pay, while prisoners of war.....	889	.....	889	889	897

RESOLUTIONS OF THE SENATE—REGULAR SESSION, 1867.

1082

SUBJECT MATTER.		Introduced.	By what Senator.	Proceedings thereon.	Adopted.
To proceed to organization of Senate by election of officers.....		5	Bennett.....	3, 6	5
To appoint a committee to confirm the appointment of Assistants to officers of the Senate.....		7	Bennett.....	7	7
To authorize President of the Senate to appoint standing committees.....		7	Bennett.....	7	7
To appoint a committee of three to revise rules of Senate.....		7	Cullen.....	7	7
To inform House of the organization of the Senate.....		7	Bonham.....	7	7
To authorize Doorkeeper to furnish Senators House and Senate Journals of last regular and special session, and copy of Brevier Reports.....		7	Bonham.....	8	8
To appoint Committee on Immigration.....		8	Thompson.....	8	8
To authorize President to appoint Committees on Congressional and Legislative Apportionment, to consist of eleven Senators, each.....		9	Noyes.....	8, 9	9
Instructing State Librarian to purchase desks for Secretaries of Senate.....		9	Cullen.....	9	9
Authorizing State Librarian to furnish stationery for use of Senate, President, officers, and Committees of Senate, upon their respective orders.....		9	Bennett.....	9, 10	10
Authorizing Doorkeeper to contract for daily papers, wrapped and stamped for Senators.....		10	Bonham.....	10	10
Authorizing President to add an eighth name to such committees as shall include the name of Senator Cason.....		14	Niles.....	14	14
Concurring in message of House to meet in joint convention to hear Governor's Message.....		15	Bennett.....	15	15
That the Committee on Benevolent Institutions inquire as to necessary steps to be taken to complete the building for the incurable insane of Indiana.....		52	Mason.....	53	53
Instructing the State Librarian to furnish the President of the Senate, each Senator and elective officer, with postage stamps.....		53	Bonham.....	53	53
Instructing State Librarian to give preference to the Pacific writing fluid, when purchasing for use of Senate.....		53	Richmond.....	53	53
Instructing the State Librarian to procure oval inkstands for desks of Senators.....		60	Richmond.....	60	60
Instructing Doorkeeper to contract for daily papers wrapped and stamped for President and elective officers.....		60	Bonham.....	60	60
Instructing President to appoint a committee to refer Governor's Message to appropriate committees.....		60	Mulligan.....	60	60
Appointing a committee to direct improvements in proper ventilation of Senate Chamber.....		64	Richmond.....	64	64
Authorizing Doorkeeper to procure two hundred rules of the Senate for use thereof.....		64	Oyer.....	64	64
Authorizing State Librarian to place on desks of Senators acts of regular and special sessions of Legislature, 1865.....		54	Mason.....	64	64
Authorizing Committees on Elections and Courts to employ a Clerk.....		65	Oyer.....	65	65
Authorizing Committee on Corporations to report imperfections, if any, in an act for the incorporation of cities.....		65	Thompson.....	65	65
Directing State Librarian to carry out recommendations of Committee on ventilation of Senate Chamber.....		79	Niles.....	79	79

Authorizing the Auditor of State to audit and pay out of any moneys in the treasury, not otherwise appropriated, any and all claims presented by any Sheriff of the State for services and mileage in carrying convicts to the State Prison.....	86	Stein.....	
Authorizing the Committee on Education to employ a Clerk for the session, at a compensation not to exceed \$4 per day.....	92	Cumback.....	92
Resolved, that the Senate proceed to the election of Trustees for the Benevolent Institutions.....	106	Cravens.....	106
Authorizing the Librarian to purchase a table for the use of the Principal Secretary's Department.....	114	Mason.....	
Authorizing the President of the Senate to appoint a Special Committee of Three to determine the amount of mileage due each member of the Senate.....	114	Cravens.....	
Requesting editors of papers received by Senators, to stamp the name of paper on envelope.....	115	Richmond.....	
Making the election of United States Senator the special order for Tuesday January 22, instant, at 3 P. M.....	119	Richmond.....	
Authorizing the Committee on Military Affairs to employ a Clerk.....	128	Parrish.....	
That J. Hunt and M. S. Robinson be each allowed \$100 for fees and expenses of contest.....			
Allowing Pat. Branham pay for three day's work.....	137	Thompson.....	176, 177
Allowing H. C. Guffin \$5 for one day's work as Journal Clerk.....	137	Cullen.....	134, 157 to 173, 174, 175
Amending the rules of the Senate.....	142	Oyler.....	244
Requesting the Governor to report to the General Assembly the conditions of certain funds.....			243
Requiring the Judiciary Committee to inquire into the expediency of having the sales of real estate by guardians, administrators, and executors, advertised in daily as well as weekly papers.....	150	Cravens.....	
Tendering the thanks of the Senate to Lieut. Governor Baker for the impartial manner in which he has presided over their deliberations.....	153	Cravens.....	
That Milton S. Robinson, contestant in the election case against John Hunt, not entitled to said seat, and that the contest is hereby ended.....	173		
That Milton S. Robinson be admitted to the floor of the Senate and allowed to address the Senate on the question of his right to be admitted to the seat.....	173	Oyler.....	174, 176
That the parties to this contest be directed to file with the Committee on Claims their charges for expenses incurred in said contest.....	176	Cravens.....	
That the Committee on the Judiciary be authorized to employ a Clerk.....	194	Niles.....	194
That the State Librarian be authorized to make such improvements in the enrolling room of the Senate as to make it comfortable.....	194	Cravens.....	
That the Committee on Benevolent Institutions be authorized to employ a Clerk.....	194	Kinley.....	194
That the Committee on Finance be authorized to employ a Clerk.....	195	Wolcott.....	195
That the Committee on Public Building enquire into the expediency of providing a night watchman to guard the State House.....	203	Oyler.....	203
Instruction Committee on Military Affairs to inquire into the expediency of making the Adjutant General Pay and Quartermaster General of the State.....	203	Church.....	
Instruction Committee on Education to amend the school law so as to allow any inhabitant over six years of age to attend the public schools.....	203	Kinley.....	205
Instruction Committee on Education to amend the school law so as to require all teachers, after May, 1868, to be able to teach physiology, the Constitution of the United States and Indiana, and history.....	206	Kinley.....	204, 205
Requiring the Auditor of State to report the amount drawn on the State Treasurer on account of the State Soldiers' Claim Agency, by whom, and in whose favor.....	206	Stein.....	
Requiring a Special Committee of Three to enquire into the expediency of furnishing aid to re-publish Blackford's Reports.....	206	Rice.....	
Relative to the removal of the University from Bloomington to Indianapolis.....	217	Smith.....	
That the Committees on Education and Agriculture be constituted a committee on the Agricultural College.....	218	Stein.....	
Authorizing Auditor of State to contract with and lease from W. P. & E. P. Gallup the House on the corner of Tennessee and Market streets, for public offices.....	230		

RESOLUTIONS OF THE SENATE—Continued.

SUBJECT MATTER.

	Introduced.	By what Senator.	Proceedings thereon.	Adopted.
Requiring a committee to inquire and report the amount of dividends and profits due the common school fund by the Terre Haute and Richmond Railroad.....	261	Richmond .....	.....	261
Ordering the Revised Statutes, stationery, stamps and newspapers to be furnished M. S. Robinson.....	262	Parrish .....	.....	262
Directing the Auditor of State to inquire of County Auditors the number of incurable insane within their county provided for at public expense.....	262	Terry .....	.....	262
Authorizing the Librarian to procure additional stationery for the use of the Senate.....	271	Cullen .....	.....	262
That from the report so obtained the State Auditor prepare an abstract for the use of the General Assembly.....	272	Bonham .....	.....	272
Granting stationery and postage stamps to Clerks and Assistant Doorkeepers.....	287	Vawter.....	.....	287
Instructions upon which the Gallup and Miller buildings can be had.....	287	Hanna .....	.....	287
Instructions the Special Committee on Public Buildings to inquire whether the building occupied as State offices is not held under a lease of two years.....	287	Cullen.....	.....	287
Directing the Committee on Rights and Privileges to report back to the Senate, as soon as possible, Senate bill No. 4, "a bill to establish a soldiers' home."	323	.....	.....	324
That the Military Auditing Committee are hereby instructed to file in the office of the Auditor of State, books, records, vouchers and evidences of claims of the present and former Military Auditing Committee.....	324	Cullen.....	.....	324
Instruction the Committee on Temperance to report to the Senate the number of petitions in their possession, the number of petitioners and from what counties.....	350	Jaquess	351, 683, 684.....	379
Allowing John Hunt pay for fifteen days services as Senator from Madison and Grant.....	378	Reagan.....	.....	379
Appointing a committee of three to examine the unpublished documents accompanying the Governor's Message, and report what should be published.....	380	Humphreys .....	.....	399
Instructions the State Librarian to furnish the engrossing and enrolling rooms of the Senate with such gas burners as will afford sufficient light to the Clerks.....	399	Wolcott.....	.....	431
That a committee of three be appointed to act in conjunction with the House committee to investigate alleged frauds on the part of the Public Printer.....	421	Stein.....	.....	431
That Dr. John Hunt be allowed one hundred dollars for his expenses connected with the Senatorial contest election case for the district of Madison and Grant.....	434	Cullen.....	.....	434
Directing the State Librarian to replace the portrait of Washington, which had been removed to give place to that of Lincoln.....	453	Robinson.....	.....	453
That in these "later saint days" it would be treasonable to object to putting the two portraits on an equality.....	453	Turner .....	.....	454
That the Librarian take the portrait of Gen. Geo. Washington, and hang it in an appropriate place.....	454	Turner .....	.....	454
Directing the Librarian to furnish additional postage stamps to officers of the Senate.....	529	Church.....	.....	529

Requiring the President of the Senate to appoint an additional member on the Committee on Benevolent Institutions.....	535	Houghton.....	535
That the Committee on Education be instructed to inquire into the expediency of repealing the law authorizing a tax for the support of Township Libraries.....	548	Niles	548
That the location of the Agricultural College, shall be determined by a majority of all the votes of the Senate.....	580	Cason.....	581
That on and after Monday next, no leave of absence will be granted, to any Senator except on account of sickness.....	607	Robinson	
That a committee of three be appointed to inquire into the facts concerning an article published in the Indiana Journal of Feb. 23d, headed "Defamation of the Hospital for the Insane,".....	633	Bellamy	654, 655
That the Committee on Temperance be instructed to separate the names of the petitioners to show the kind of legislation asked for.....	640	Oyler	
That the Third Auditing Committee be requested to deliver to the Senate, claims Nos. 1203 and 1307, and that they be referred to the Committee on Claims.....	684	Jaquess	
That a committee of three be appointed to examine and ascertain why documents mailed by Senators, fail to reach their destination.....	718	Sherrod	
That the Librarian be instructed to purchase certain copies of Wilson's Digest of Parliamentary Law.....	729	Stein	
That the Librarian furnish each Senator and elective officer, nine dollars in stamps or stationery.....	729	Church	
That the Committee on Finance be authorized to insert in the specific appropriation bill, a section, allowing Draper the same price per page, for his Legislative Reports, which has been paid for the last several volumes.....	736	Cravens	
That the Auditor be directed to inform the Senate of the facts connected with the alleged contract made with John Pettit.....	737	Reynolds.....	
Requiring the Committee on Agriculture to report on the propriety of locating the College at Greenfield.....	753	Mason	
Allowing pay to the members of the State Prison Committee for mileage.....	755	Richmond	
Entitling Maj. Gen. T. A. Wood to a seat on the floor of the Senate.....	776	Oyler	
That the State Librarian procure for each Senator and elective officer, fifteen copies of the Auditor's Chart of the State.....	778	Furner	816
That the Committee on Finance insert, in the specific appropriation bill, \$5,000 in favor of John A. Wil- stach, for salary and expenses.....		Stein	
Requiring the Principal Secretary of the Senate to file books, bills, and papers of the Senate with State Librarian.....	810	Bennett	
That the Committee on the Judiciary inquire into the propriety of prohibiting the conviction of soldiers for engaging in lottery schemes for the benefit of widows and orphans of deceased soldiers.....	817	Bennett.. ..	
That the general appropriation bill be returned to the House, with the request that they ascertain by what authority pencil marks were placed where the amounts fixed by the committee should be.....	827	Hanna	
That the Attorney General of the State is hereby directed to institute suit without delay, and prosecute to final judgment, in the name of the State of Indiana, against the White Water Valley Canal Company, and the White Water Valley Railroad Company, to determine whether said companies have not done or omitted such acts as amount to a forfeiture of their charter.....	832	Niles	
That the Committee on Enrolled Bills and Phraseology have leave to file their reports with the Secretary.....	849	Cason.....	
That during the balance of the present session, no Senator shall speak longer than five minutes on any question, without leave of the Senate.....	853	Stein	
That the Senate does hereby advise, consent to and approve the nominations of Jos. Orr, A. C. Downey, and Charles F. Coffin, as Commissioners of the House of Refuge.....	866	Niles	
That the House be requested to return to the Senate House bill No. 277, with a view of receding from the amendments.....	909	Johnson.....	
That the three wood sawyers, and the four french, employed by the Librarian, be allowed five dollars per day for each day's service.....	936	Houghton	
That Martin Fenner be allowed \$1.50 per day since February 1st, to this day.....	943	Niles.....	

RESOLUTIONS OF THE SENATE, REGULAR SESSION, 1867—Continued.

1086

SUBJECT MATTER.		Introduced	By what Senator.	Proceedings thereon.	Adopted.
That each member of the Committee on the Rights and Privileges of the Inhabitants of this State be allowed three dollars for every twenty-five miles of travel in visiting the Soldiers' Home at Knightstown, in this State.....		952	Gifford .....	.....	952
That the committee, to whom was referred the investigation of the liability of the Terre Haute and Richmond Railroad Company to the State, on account of school fund, under provisions of the charter, be authorized to complete their investigations after the adjournment.....		961	Bennett.....	.....	962
That William H. Schieler be allowed fifty dollars for ten days' services in the Journal Department of the Senate.....		967	Cullen .....	.....	967
That T. G. Palmer be allowed five dollars per day, during the session, for keeping accounts of members and employees		967	Oyler.....	968	968
That the Librarian furnish the compiler of the Brevier Reports with stationery, Stamps, etc.....		968	Church.....	.....	968
Authorizing the Secretary of State to send to each Senator and officer of the Senate copies of the Reports, Journals, etc.....		968	Oyler .....	.....	968
Tendering the thanks of the Senate to the Secretaries and their assistants, Doorkeeper and his employees, for the faithful, impartial and courteous manner in which they discharged their duties.....		975	Wolcott.....	.....	975
Authorizing the Principal Secretary of the Senate to file with the State Librarian all books, bills and papers of the Senate, and file his receipt for the same among other papers, and prepare for the Journal a complete calendar of the bills and joint resolutions of the Senate.....		975	Stein.....	.....	975
Tendering the thanks of the Senate to the Hon. Will Cumback for the ability and impartiality with which he discharged the arduous duties of President of the Senate.....		1004	Hanna .....	.....	1004
That the House of Representatives be informed that the Senate has completed the business before it, and it is now ready to adjourn <i>sine die</i>		1006	Bennott.....	.....	1006

CONCURRENT RESOLUTIONS OF THE SENATE, REGULAR SESSION, 1867.

SUBJECT MATTER.		Introduced.		By what Senator.		Proceedings thereon.		Adopted.
To appoint a joint committee to invite some minister to open the General Assembly with prayer.....		12	Milligan.....	12				12
To appoint a joint committee on the subject of a house of refuge for juvenile offenders.....		48	Niles.....	48				48
To appoint a joint committee to inquire into the propriety of ratifying the appointment of John A. Wistach as Commissioner for the Encouragement of Immigration to Indiana.....		52	Stein.....	53, 786, 787, 788				53
To appoint a joint committee on the subject of the national debt and national currency.....		54	Walcott.....	54				54
To appoint a joint committee to inquire into the expediency of procuring suitable rooms for the State offices and chambers for Judges of the Supreme Court.....		64	Cravens.....	64				64
To appoint a joint committee to consider the reorganization of the courts of Indiana.....		68	Carson.....	68				68
To meet in joint convention to compare the separate action taken by the Senate and House in electing a U. S. Senator to succeed H. S. Lane.....		116	Cullen.....					
Approving the act of the Governor in withdrawing from the Soldiers' Relief Fund the amount necessary to pay expenses of the Soldiers' Home for the month of December, 1866.....		129	Bennett.....					
To appoint a joint committee of three members of the Senate and five of the House to examine into alleged frauds on the part of the State Printer.....				370				
The House concurring, that our Senators be instructed and our Representatives in Congress be requested to use their influence to procure the passage of an act equalizing bounties.....		453	Cullen.....					
Directing the Auditor of State to lease the building on the corner of Market and Tennessee streets for a term of years, under certain conditions.....		472	Humphreys.....					
Directing the Adjutant General to cause a national salute to be fired in honor of the birthday of Washington.....		483	Oyler.....					484
Directing the State Librarian to furnish to each of the employees of the General Assembly, who have served in the army or navy, a copy of each volume of the Adjutant General's Report.....		528	Wolcott.....	561				528
That each House of the General Assembly will, on Thursday, the 21st, meet to elect Trustees for the Benevolent Institutions.....		528	Carson.....	616				
That our Senators in Congress be instructed and our Representatives be requested to use their influence to secure the passage of an act for the equalization of bounties.....		530	Bennett.....					
That the Representatives and Senators in Congress be requested to use their influence to prevent the confirmation of any one to office who is not a true and tried Republican.....								
The House concurring, that the Adjutant General be instructed to close the business of his office by the 1st of January, 1868, and not to extend his Report beyond the number of volumes ordered by the special session of 1865.....		619	Oyler.....	756				156
That each House of the General Assembly will, by a separate concurrent vote, on to-morrow at 10 o'clock A. M., elect the Trustees for the Benevolent Institutions of the State.....		641	Milligan.....	725				
		670	Bennett.....	689, 690, 691, 692				671

CONCURRENT RESOLUTIONS OF THE SENATE, REGULAR SESSION, 1867.

1088

SUBJECT MATTER.	Introduced.	By what Senator.	Proceedings thereon.	Adopted.
<p>The House concurring, that the Librarian be instructed to procure all the documents printed for the use of the Legislature, and place them in the care of the Doorkeeper of each House for distribution.....</p> <p>That the Constitution of this State be amended so as to give incorporated cities, towns and townships power to raise a revenue for the support of common schools.....</p> <p>Tendering the thanks of the General Assembly to Governor Baker.....</p> <p>Authorizing the State officers to rent suitable buildings for the use of the State offices.....</p> <p>That the Governor appoint three commissioners, whose duty it shall be to hear and determine all claims for losses which may have accrued to the inhabitants of Indiana by rebel forces under John Morgan.....</p> <p>That it is the judgement of the General Assembly of the State of Indiana, that the delay in bringing about a restoration of the political relations between the Government and States lately in rebellion, has been caused by a desire to force upon the Southern States "negro equality,".....</p> <p>That the appointment of John A. Wilstach by Acting Governor Baker, be and the same is hereby ratified and confirmed.....</p> <p>Authorizing the Judges of the Supreme Court to remove the law library from the State House.....</p>	<p>737</p> <p>967</p> <p>968</p> <p>969</p> <p>972</p> <p>976</p> <p>975</p>	<p>Cason</p> <p>Wolcott.....</p> <p>Oyler</p> <p>Cravens.....</p> <p>Sherrod.....</p> <p>Stein.....</p> <p>Thompson.....</p>	<p>.....</p> <p>835, 836, 837, 838, 839.....</p> <p>.....</p> <p>.....</p> <p>970, 971, 999.....</p> <p>973, 974.....</p> <p>.....</p> <p>999</p>	<p>737</p> <p>840</p> <p>907</p> <p>968</p> <p>972</p> <p>976</p>

CONCURRENT RESOLUTIONS OF THE HOUSE RECEIVED IN SENATE, REGULAR SESSION, 1867.

SUBJECT MATTER.		Introduced.	Proceedings Thereon.	Concurrent In.
Regulating appointment of joint committee to inform His Excellency, the Governor, of the organization of General Assembly.....				
Inviting Senate to Hall of the House to hear Governor's message.....				
Directing the printing of the Governor's message in the English and German languages.....				
Concurring in Senate resolution on national debt and currency.....				
Concurring in Senate resolution on subject of House of Refuge.....				
Concurring in Senate resolution on subject of procuring suitable rooms for State officers, and chambers for Supreme Judges.....				
Concurring in Senate resolution ratifying appointment of John A. Wistach commissioner to Paris Exposition.....				
Appointing the 18th of January to go into election of Agent of State, State Printer, State Librarian, Trustee of Wash and Erie Canal, Directors of State Prisons, Trustees for the Blind, Insane, and Deaf and Dumb Asylums.....				
To proceed by a concurrent vote to elect officers of the benevolent institutions.....				
Concurring in the Senate resolution to meet on the 23d instant to compare the separate action of the Senate and House taken in the election of a United States Senator.....				
Inviting the Senate to repair to the Hall of the House, to compare votes cast for United States Senator.....				
Resolved (the Senate concurring) that the General Assembly respond to the resignation of Governor O. P. Morton by the following address.....				
Directing the State Librarian to negotiate for the purchase of the Vincennes Sun newspaper for the years 1867, 8, 9, and 1860.....				
Concurring in the Senate resolution that directs the State Auditor to inquire of county auditors the number of incurable insane in their respective counties, and how supported.....				
Concurring with Senate resolution in approving the Governor's action in drawing funds from the "Soldiers' Relief Fund," to pay expenses for Soldiers' Home for December, 1866.....				
That the Attorney General of the State be instructed to investigate the unlawful expenditure of money made by the Warden of the State Prison North.....				
Authorizing the appointment of a special committee of two from the Senate and three from the House, upon the subject of the Lincoln Monument.....				
That a committee of two on the part of the Senate, and three on the part of the House, be appointed to ascertain whether the Governor has any further communication to make to this General Assembly.....				
That the State Printer be authorized to print 600 copies of the acts of the General Assembly in the German language.....				
That we recommend His Excellency, Governor Baker, to appoint to the military claim agencies none but soldiers who have served, in the war for the suppression of the late rebellion, at least three years.....				
That the Auditor of State be authorized to sell an old pile driver, and pay the proceeds into the treasury.....				
Regulating appointment of joint committee to inform His Excellency, the Governor, of the organization of General Assembly.....	11	11	11	11
Inviting Senate to Hall of the House to hear Governor's message.....	13	15	15	15
Directing the printing of the Governor's message in the English and German languages.....	71	74	74	74
Concurring in Senate resolution on national debt and currency.....	74	75	75	75
Concurring in Senate resolution on subject of House of Refuge.....	75	75	75	75
Concurring in Senate resolution on subject of procuring suitable rooms for State officers, and chambers for Supreme Judges.....	75	75	75	75
Concurring in Senate resolution ratifying appointment of John A. Wistach commissioner to Paris Exposition.....	76	76	76	76
Appointing the 18th of January to go into election of Agent of State, State Printer, State Librarian, Trustee of Wash and Erie Canal, Directors of State Prisons, Trustees for the Blind, Insane, and Deaf and Dumb Asylums.....	85	99	99	99
To proceed by a concurrent vote to elect officers of the benevolent institutions.....	111			
Concurring in the Senate resolution to meet on the 23d instant to compare the separate action of the Senate and House taken in the election of a United States Senator.....	131			
Inviting the Senate to repair to the Hall of the House, to compare votes cast for United States Senator.....	138			
Resolved (the Senate concurring) that the General Assembly respond to the resignation of Governor O. P. Morton by the following address.....	179			
Directing the State Librarian to negotiate for the purchase of the Vincennes Sun newspaper for the years 1867, 8, 9, and 1860.....			298	
Concurring in the Senate resolution that directs the State Auditor to inquire of county auditors the number of incurable insane in their respective counties, and how supported.....	379			
Concurring with Senate resolution in approving the Governor's action in drawing funds from the "Soldiers' Relief Fund," to pay expenses for Soldiers' Home for December, 1866.....	509			
That the Attorney General of the State be instructed to investigate the unlawful expenditure of money made by the Warden of the State Prison North.....	510			
Authorizing the appointment of a special committee of two from the Senate and three from the House, upon the subject of the Lincoln Monument.....	976			
That a committee of two on the part of the Senate, and three on the part of the House, be appointed to ascertain whether the Governor has any further communication to make to this General Assembly.....	977			
That the State Printer be authorized to print 600 copies of the acts of the General Assembly in the German language.....	977			
That we recommend His Excellency, Governor Baker, to appoint to the military claim agencies none but soldiers who have served, in the war for the suppression of the late rebellion, at least three years.....	977			
That the Auditor of State be authorized to sell an old pile driver, and pay the proceeds into the treasury.....	978			





